

members were speaking as if the maximum is to be raised to Rs. 10,000.

The motion was put and lost.

The House rose for lunch at 1 p. m. and re-assembled at 2-30 p. m. with the Deputy President in the Chair.

The Cochin Debtors' Relief Bill.

Mr. M. K. Devassy (Adur): Mr. President Sir, in rising to move for the introduction of the Cochin Debtors' Relief Bill, I shall, without indulging in any superfluous eloquence on matters that are patent to this House, confine myself to the salient features of the Bill as also the circumstances that justify its introduction. I believe that the pendency of another Bill before this House exclusively relating to agriculturists will not prompt it to castigate this Bill as an untimely indiscretion on behalf of non-agriculturists for I can assure the hon'ble members that the primary object of the Bill is to secure relief to the agricultural debtors while the relief to non-agriculturists which it also seeks to achieve is but consequential on the first, as I shall be explaining presently.

It was at a time when, in the words of Commissioner Mr. Chaplain summarising the causes of agricultural indebtedness, the inexorable custom in India which bequeathes a heredity of debt to the posterity, improvident speculations into which the illiterate cultivator rushes himself, enhanced facilities for lending owing to the increased facilities for recovery and a corresponding stimulus in the agriculturists to borrow, the growth of an inferior class of money-lenders, the proverbial aptitude of the Indian cultivator to spend always on unproductive purposes, the exaction of middle men and the intermittent failure of crops had already reduced the ryot to the position of a veritable slave in the economic market, that the world wide economic depression with its tentacles of fall in the price of agricultural commodities came upon him sapping into his very vitals with the result that ever since the fatal year of 1105, the Indian ryot is fast gasping to his last to such a desperate degree that if nothing is done to save him, ere long you and I will have to join the prayer "Let his soul rest in peace". One can never forget that memorable statement which, on the 2nd of March 1934, our Government had the large heartedness to endorse "that owing to the precipitous fall of agricultural prices, debts incurred by agriculturists have now been increased by anything up to 300 per cent in terms of agricultural commodities" which is but truly depictive of the sad plight of the agriculturists. If in 1932, Mr. T. K. Sankara Menon in conducting the economic survey of the State found that in a village like Nayarambalam with a

population of 91 families its total indebtedness mounted up to 5½ lakhs of rupees, i. e., Rs. 565 and odd per family, he was only perfectly justified in stating that as many as 75 per cent of the people of Cochin are groaning under heavy indebtedness breathing an air of despondency. One is justly reminded of the famous passage of Sir Wingate, "the ryot toils that another may rest and sows that another may reap. Hope deserts him and despair possesses him. The virtues of a free man are supplanted by the vices of a slave. He feels himself to be the victim of injustice and tries to revenge himself by cheating his oppressors. His great interest is to despoil his enemies by borrowing continually. When he has got all he can get from them it is a triumph to him if by any amount of his false promises he can get something from another. When he has two creditors there is a chance of their fighting with each other so that during the fray he may be able to snatch a portion of the spoil from both". As Lieutenant Burgus, writing of the Ahmednagar ryot said nearly half a century ago, "as long as the ryot is in the hands of the money lender he can never prosper for, his prosperity would only make the usurer the richer without materially, if at all, increasing his own resources". When, therefore, "the great majority of our ryots are not only born in debt, live in debt, die in debt and bequeath debt but even breath debt and despondency", I believe that not even the most conservative of administrators can say that in dealing with a desperate disease this remedy is either radical or revolutionary.

I am afraid that I shall be accused of a serious charge of ingratitude to the Government, if in this connection I do not acknowledge with thanks the steps that our benevolent Government has already taken in alleviating the miseries of the agriculturists. The appointment of the Antony Committee, the passing of the Usurious Loans Act and the Debt Conciliation Act, and the issue of the Cochin Kuries Proclamation and the establishment of the Land Mortgage Bank are indeed substantial remedies which would have served their purpose in time of ordinary depression. But I mean no exaggeration or disparagement when I say that these are but mild dozes of inadequate measures in curing a fell-disease like the terrible economic depression of the day the like of which we would have never seen. To my mind neither the Usurious Loans Act with its absolute disregard for the accumulated arrears of interest of the past nor the Debt Conciliation Act with its imbecile hand raised against the unwilling creditor, nor the kuries proclamation which permits of stopping kuries or reducing their instalments on the consent of the majority of non-prized subscribers which can never happen in this world and which reminds one of the famous boon granted

by Yamadharma to Savitri, is an efficient piece of legislation to remedy this trying situation. Statistics with regard to kuries in the State would show that while the number of Kuri suits instituted from the date of issue of the Proclamation up-to-date is 2904, only 60 kuries have been suspended and 30 kuries have been prolonged by reducing the number of annual instalments. While I look with gratitude on the policy of the Government in starting the Land Mortgage Bank and while I recognise it as one of the most efficient agents in giving a helping hand to the indebted agriculturists I am afraid that the machinery will get paralysed unless the burden of debt which it attempts to clear is also not correspondingly lightened by an Act of Legislature for, even the Land Mortgage Bank cannot afford to advance more than the real value of the property that could be obtained now which is but a third of the pre-depression period value of the same property. The shortcomings in the existing relief measures which I have just pointed out, therefore, call for a more radical measure by which the rehabilitation of agriculture can be effected. The question is as to what should be the form of this measure. The uniform attempt on the part of the Legislatures during the past few years has shown that it is only some bold legislative measure that can cure the problem.

I am afraid that the grounds that I attempt to establish for the introduction of this Bill lack in completion unless I can also show the justification for extending the benefits of the Bill to non-agriculturists. As I have stated in the statement of objects and reasons to this Bill, the acuteness of the economic crisis has effected the agriculturists and non-agriculturists alike with perhaps but a difference in degree. One certainly has no reasons to be surprised if he finds that this difference is but small and even negligible for, as observed by the framers of the Madras Agriculturists' Relief Act in their statement of objects and reasons to the Bill, "directly or indirectly, the prosperity of all sections of the people is dependent on the economic well-being of the agriculturist". And in a country where agriculture is the very pith and marrow of the bone, or to put it in other words, when agriculture is the very heart and when that heart is weakened, it is inconceivable how the other sections of the people who are but the outer-coverings of the bone or limbs of the body depending for their nourishment on the heart can remain unaffected without corresponding weakness. Nor is this logical conclusion arrived at by me merely theoretical in character. Those who are interested in the subject of rural reconstruction would find that in the economic survey conducted under the auspices of the Economic Development Committee as early as 1929 in some of the non-agricultural villages near Ernakulam

out of 152 families as many as 150 are indebted each to the extent of Rs. 126 when its income did not exceed Rs. 115. If the extent of depression among the non-agriculturist subjects of His Highness consequent on the depression among agriculturists is not sufficient justification for this Bill, then a piece of partial legislation like the Agriculturists' Relief Act is sure to render the depression among non-agriculturists more acute as to deserve a measure of relief from the Government as I shall presently point out how.

The circle of credit and debt is a continuous chain from which if one link is removed or broken its repercussions on the whole chain are but a natural sequel. While a non-agriculturist creditor of an agriculturist who is a debtor to another can realise only a scaled down portion of his assets from his agriculturist debtor according to the Agriculturists' Relief Act, unless he in turn gets a corresponding reduction in the liability to pay his creditors which the Act cannot contemplate, he is bound to be severely affected by the legislation with the result that the food of one becomes the poison for another. Nor is the problem easy of solution in a State like Cochin where conditions are widely different from other places. The case of Kuri transactions is an instance in point. The foreman of a kuri who can but recover a scaled down rate of interest from the defaulters will, at the same time have to pay his creditors a much higher rate of interest. What the result of such a partial legislation will be on the people of a State which is almost studded with kuries can easily be estimated without much strain on imagination.

The same trouble can be noticed in the case of retail merchants of cloths and grocery in rural parts, who after all, are debtors to whole-sale merchants and who necessarily grant credit to the agriculturists of villages. It would thus be found that at every stage of turning the credit wheel the detrimental influences of a partial piece of legislation are felt.

There is one more reason for extending the benefits of this Bill to non-agriculturists and that is the chances of the agriculturists losing their credit in the financial market as a result of this partial legislation in the future. As one who has had the opportunity of taking some evidence in connection with the preparation of a report to be submitted to the Cochin Congress on this matter I had occasion to learn that the money lending world have made almost a pre-determination that they will not hereafter lend any amounts to the agriculturists. This is the fear that has been expressed by eminent men like Chintamani also. The only way to get out of this difficulty is by passing an

all-comprehensive measure whereby the alternative to the money lenders can only be either to lend or not to lend, and not between lending to non-agriculturists and non-lending to agriculturists. I believe that I have sufficiently made clear the need and the justification for making this Bill applicable to non-agriculturists also.

Now, to the provisions of the Bill. As far as possible the Bill has been drafted on the lines of the Madras Agriculturists' Relief Act with the main difference that whereas there the benefits are restricted to agriculturists here they are extended to non-agriculturists also with the difference of $1\frac{1}{2}$ per cent of additional interest to be realised from non-agriculturists in contrast with his agriculturist brother. A nominal but important change in the definitions of the act is that in the place of a landlord paying Rs. 500 tax being considered a non-agriculturist, since the tax for jenmam lands is almost half of the tax for Pandaravaka lands the jenmi who pays Rs. 250 as tax on jenmam lands and Rs. 500 on Pandaravaka lands are considered non-agriculturists, provided that such jenmi or land-holder has not parted with any portion exceeding half of the estate by way of possessory mortgage to another. The last mentioned proviso has been necessitated because of the fact that in the State there are many jenmies who are but nominal jenmies for the purpose of the *jama* but who would really have parted with all their properties by way of usufructuary mortgage. It would be hard if the benefits of the Bill are not extended to such suffering landlords who are but kings without kingdom treating them as non-agriculturists.

The most important portion of the Bill is and naturally so, the chapter relating to the scaling down of interests. Section 8 of the Bill deals with the scaling down of debts. For this purpose we have divided the period of the debt into three, one prior to 1105, the second from 1105 up to the date on which the Bill comes into force and lastly the period after it. The interest awardable according to the Bill during the first period, *i. e.*, up to 1105 is at the rate of 6 per cent per annum in the case of non-agriculturist debtors. I shall explain why the rate and period is so fixed. Although the visible symptoms of depression are said to be manifested clearly only from the year 1107 onwards, it is only a bare fact that the crisis of 1107 had already commenced in the year 1105. For the purposes of this Bill, therefore, we have taken the year 1105 to be the commencement of the depression period. I believe that this House and the public will not consider it presumptuous on my part, if in attempting to explain the reasons behind these provisions I may occasionally endorse to some of the criticisms levelled against

the Madras Agriculturists' Relief Act although in doing so I always respectfully credit it with the originality of being the pioneer in the field of such bold legislations. Of all the sections of the Madras Agriculturists' Relief Act perhaps section 8 is the most criticised one. This section effects a total cancellation of all the arrears of interest on debts incurred before the 1st of October 1932 found due on the 1st of October 1937. It also accepts the *dám dupet* principle. The critics hold that there is little equity in cancelling all the arrears of interest, which would mean that the dishonest debtor who has not paid a single pie of interest has profited before his more honest brother who would have made his payments even with difficulty, and also that the exacting and the merciless creditor who had succeeded in collecting the interests as and when they fall due is far better off than his less exacting brother who out of mercy to his debtor would have allowed a little respite. It could not be said with any force of logic that this criticism is absolutely groundless. To meet the critic therefore, the framers of this Bill have fixed a uniform rate of interest up to 1105 at 6 per cent and $7\frac{1}{2}$ per cent in the case of agriculturists and non-agriculturists respectively making provision for crediting towards the principle any excess payment already made.

The next important portion of the Bill relates to the rate of interest after 1105; *i. e.*, during the depression period. It is a curious feature of the Madras Act that whereas for debts incurred before the depression period all arrears of interest are cancelled while for debts incurred during the depression period an interest of 5 per cent is charged which really ought to have been the other way about. This Bill has therefore thought it proper to fix a lower rate of interest during the depression period which has been fixed at $4\frac{1}{2}$ per cent and 6 per cent in the case of agriculturists and non-agriculturist debtors respectively.

The question of future rate of interest has really perplexed even a portion of the public to such an extent that some of them thought it proper to write letters to me on the matter. They think that the rate of 9 per cent in the case of simple debts and $7\frac{1}{2}$ per cent in the case of secured debts are rates too high and that the rate of interest for agriculturists should be lower than the other rates as in the Madras Act. I may state at the outset that is the easiest thing for the framers of this Bill to fix the lowest rate of interest for agriculturists in future but the public and the House should realise that it is the hardest cruelty that a legislature can inflict upon the agricultural population because not a single agriculturist can aspire to have a pie's credit in future. It is in the earnest hope of keeping the agricultural credit on a par with the non-agriculturists that we have adopted

this uniformly equitable rate of interest. No doubt, we have also been actuated by the consideration that in future at least our people may try to guard themselves against speculative borrowings.

Since we are convinced that any number of legislative enactments will not save the indebted population unless some convenience is given for the payment of scaled down portion of the interest we have also thought it proper to make a provision for the payment of the debt in 16 instalments extending over eight years, the penal clause of execution for lump being applied in cases of defaults for two consecutive instalments, a feature you do not find in the Madras Act.

The Bill has also attempted to grant adequate relief to tenants. In the case of michavaram the provisions are less drastic than pattam. The reason is that the proportion of michavaram to the yield of the property is much lower than of pattam. Section 14 of the Bill, therefore, provides that one half of the principal found due by way of arrears of michavaram up to the date of the commencement of the third year immediately preceding the day on which the Bill comes into force is to be discharged. In the case of pattam all the arrears are deemed to be discharged if the pattam for the last two years are paid within one year of the passing of the Bill.

It is inconsistent with the policy obtained in the case of interest of money that even our courts of law allow 2 parahs of paddy as interest for 10 parahs. The framers of the Bill believe that the rate is too high and they have fixed it at $7\frac{1}{2}$ per cent per annum.

I believe that I have more or less exhausted the substantive portion of the Bill. In commending this Bill to the acceptance of the House I have only to say that a desperate disease requires a desperate remedy. A Bill like this would probably have been considered radical a decade ago. But it is the radicalism of yesterday that is the conservatism of to-day. I do not want to issue a threat to the Government by quoting instances in the history of India where economic unrest due to heavy indebtedness has been the cause of breach of public tranquillity though the Sonthal rebellion of 1855 in the Sonthal Parganas, the mutiny of the United Provinces in 1854, and what is known as the Decan riots in 1875 and Ajmeer riots of 1891 were all the direct outcome of the conflict between agriculturist debtors and their creditors.

It is a matter of supreme pleasure for me to conclude by saying that I am introducing this Bill with the support of a party which contains some of the biggest creditors and jemmies. If I am radical I am so in the company of my hon'ble friend

Mr. Ismail Sait and Mr. Popatlal. If I am anti-jenmi I am so in the company of the reputed jenmies like Messrs. Cheloor Nambudiripad and Chittur Nambudiripad. If I am opposing banks I do so in the company of Mr. C. R. Iyyunni whose association with bankers is well known. I emphasise these facts, Sir, because it appears to me that when the whole House requests the Government with a unanimous voice for the acceptance of a bill like this it is not for the Government to throw doubts on it and decline to accept. I am perfectly confident that our benevolent Government will certainly give a helping hand to the measures we are proposing.

Sir, I may state that ours is but a feeble attempt at achieving a remarkable end. Conscious as we are of our limitations, we do not for a moment presume to be the most proper and efficient hands to improve upon what has emanated from the master-minds of the Madras Legislature. But it is for the hon'ble members of this House and the Government to discharge the sacred duty placed in them to come to our rescue, to offer suggestions and to be common participants in our march towards a sacred goal. With these few words I commend this bill for introduction in this House.

Mr. K. Ashtamoorthy Namboodiripad: (*Land-holders*): I rise to make a few observations about the Bill so far as it applies to the land-holders. As this Bill and the one which was introduced by my hon'ble friend Mr. Moothedan are the same with regard to general debts I do not propose to deal with the Bill as a whole. The previous speakers have dealt with those matters at large.

It is section 14 that affects the land-holders. Section 14 of the Act says that one half of the principal found due by way of the arrears of Michavaram up to the date of the commencement of the third year immediately preceding the day on which this Bill comes into force shall also be deemed to be discharged. I hope the hon'ble members are aware that the majority of the Kanam tenants in the State are either directly under the Government, e.g., the Devaswam Department or under Estates managed by the Government, e.g., the Paliam Estate and some Kovilagams. I do not think that this would apply to such Estates. So it is inequitable to include Michavaram and Pattam in this Act as to prejudicially affect a handful of poor land-holders.

The provision for wiping out the whole interest on arrears of pattam is also unjust. Sir, this Bill does not make any provision with regard to arrears of land revenue. Even in the Madras Act provision is made for the collection of arrears of

land revenue by the land-holder from the tenant if the former has already paid the revenue of the property from his own pocket.

The definition of debt in the Bill includes all liabilities in cash or in kind. I quite fail to understand why liabilities in kind have been included in the Bill. The present depression is caused mainly due to the reduction in prices of agricultural produces. Liabilities in kind are not affected by the depression because the liabilities can be discharged by repaying in kind. So such liabilities should be excluded from the operation of this Bill.

This Bill penalises both the good land-lord and the good tenant. The land-lord who has allowed out of pity towards the tenant or otherwise to fall the rent into arrears is not allowed to collect his rent whereas the land-lord who has applied the full process of law for the recovery of rent goes scot free. In the same manner an honest tenant who has been regularly paying his rent gets no relief while a refractory tenant is given the benefit. With these few observations I oppose the Bill as it is drafted and as it stands at present.

Mr. A. V. Moothedan (*Chalakkudi*): Sir, I want neither to support the motion nor to oppose it. I want to make certain observations.

Now, I am only glad that non-agriculturists should be given relief. I am a non-agriculturist myself and I will be benefited. But my point is that those people who require relief at once are agriculturists. That is the primary consideration that should prevail with the House. My friend, Mr. Devassy's argument is if relief is given to agriculturists, non-agriculturists should also be given relief. If that is accepted there will be very great complexities because there are merchants in Mattancheri, Ernakulam, Trichur and other places. They have got credit in Bombay, Calcutta and Madras. Will anybody in Madras, Bombay or Calcutta lend money to the merchants of this State if such legislation is passed here. There, they will be getting 12 per cent interest. But here they can claim only 7½ per cent or so. My friend fears that if my Bill is accepted, agriculturists may not be able to get credit. But by the same reasoning if this Bill is accepted nobody will get credit in this State. Mr. Govinda Pai is here. I don't know whether he has considered all these aspects. That is a point which ought to be considered. It is bristling with difficulties. That is why I avoided non-agriculturists.

There is another point. There is a non-agriculturist. Suppose he has borrowed and lent Rs. 5,000. According to the different rates for scaling down of the debts say, he will get only

Rs. 4,000 whereas he will have to pay Rs. 5,000 to his creditor. Then he will suffer a loss of Rs. 1,000. So according to this Bill also the non-agriculturists will have to suffer because of the different rates of scaling down for agriculturists and non-agriculturists.

Throughout the speech my friend was referring only to the condition of the agriculturists. He was throughout quoting from reports dealing with agricultural indebtedness. In my opinion he has not even made out a case for relief to non-agriculturists. If there is any idea by this Bill to prevent any relief being given to agriculturists also I am against this Bill. Otherwise I don't oppose this Bill.

Mr. M. K. Devassy (Adur): Did anybody say that? Did anybody mean that?

Mr. A. V. Moothedan (Chalakkudi): I only expressed my fear. I do not oppose the Bill.

Mr. K. Kochukunhan Kaimal (Vadakkancheri): Mr. President, Sir, I have great pleasure to support this Bill seeing that such a measure is brought by the Congress Party which consists of members of diverse interests. Anybody can imagine the importance of a measure like this. It is likely to be misunderstood as a propagandist measure and I have known from my past experience after this election that there is an impression that these Bills have been brought forward as a kind of propaganda to enlist the sympathy of voters. I think it is the most mistaken impression that the people have formed because we represent constituencies which consist of both debtors and creditors so that it is not in the interests of debtors alone that this Bill is brought. That there is a great necessity for a measure like this has been evident and our benevolent Government has also realised the exact necessity for such measures because we find that some time back the Government intervening by calling for a report called the Antony Committee Report. Some relief was also granted by the introduction of the Usurious Loans Act whereby interest upon debt has been reduced and brought to a uniform rate. In order to render some help to the agriculturists who are groaning under debts for the past years and who could not even pay the interest regularly upon their debts on account of the fall in price of the agricultural produces the Government thought it was its duty to do something and with that object in view the Government also instituted the Land Mortgage Bank and also passed a Debt Conciliation Act just to enable the parties to conciliate their debts in cases where creditors who are so good enough as to settle their claims agreed. But none of these has been an effective remedy. No doubt,

they have given some relief and to that extent the people are certainly grateful to the Government. But now in order to give a complete and a substantial relief to the debtors a more drastic legislation is necessary and it is the existence of such a necessity that actuated the Congress Party to bring in a measure like this Bill. That it has support from all classes of people, land-holders, bankers and the commercial section is evident enough and it is sure to meet with some support at the hands of the Government. One important change which has been introduced in this legislation from the Madras Legislation is with regard to the scaling down of interest. As the mover has pointed out the Madras Legislation has been very drastic so as to repudiate the whole arrears of interest on loans borrowed before 1932. Our legislation has not gone to such an extent but has reduced the rate to a lower level to make it feasible and easier for the debtor to discharge his obligations. The most important thing is the reduction of interest and the interest that has now been proposed by our legislation seems to be rather reasonable and it may be welcomed by the debtors. Of course, I can speak with some experience coming as I do from a village that the villagers are certainly very much put to difficulties and they find it almost impossible to pay up the interest. Of course, it is the experience of most of us that the money lenders in the country parts exact a very high rate of interest so much so that the debtors find it impossible to discharge their debts, even a reasonable portion of the interest. I hope the reduction of interest is the main thing that has been sought to be achieved by this legislation. There is some difficulty with regard to the period for which this reduction has been provided. It is found that the depression has set in its most acute form only by the beginning of 1107 so that it is very doubtful whether the reduction of interest should be taken back to a date as provided for in our legislation. That is a matter which will have to be settled in the Select Committee and I am sure that some reasonable conclusion will be arrived at by the members of the Select Committee after taking some evidence upon this point. As for myself I do not think there is any necessity to give reduction of interest for any period prior to 1107 when the depression began. Of course, since 1107 it is common knowledge of all that the prices of agricultural products have fallen very low so much so that it has been difficult, if not impossible, to pay even half the interest; so that the necessity for the reduction of the rate of interest to a very great extent is certainly very evident and that object is now sought to be achieved by this legislation. I am sure our benevolent Government in order to consummate its activities so far as giving relief to the debtors are concerned, and as part of a

measure of rural reconstruction will come to the rescue of the poor debtors' and help them in order that they may live more peacefully and more happily.

Mr. V. J. Mathai (Planters): Mr. President Sir, it is with some sort of embarrassment that I rise to speak on this Bill, since I am fortunately or unfortunately a member of the Select Committee recently elected to consider the Bill relating to Agriculturists' Debts. If, as I take it, the House considers this Bill and passes it at this stage and refers it to a Select Committee, it will naturally come for the consideration of the committee appointed yesterday including myself. But all the same the progress of the debate on this question has led itself to a particular juncture at which some doubts have been cast upon some of the basic principles underlying this Bill. It appears to me that the three basic principles underlying this Bill, rather the three points for discussion now open to the House, are: firstly, whether there is an extraordinary situation which requires an extraordinary remedy, secondly whether legislative sanction is necessary for giving relief to the debtors and the third point seems to be whether the benefits of such a legislation should be extended to non-agriculturist debtors.

It seems to me that at this stage after the extensive discussion upon the Bill which was introduced in this House on Saturday it is unnecessary and superfluous now to go into the question whether there is the existence of an extraordinary situation. The existence of an extraordinary situation has been recognised by the Government not only by Statutory enactments but by other ameliorative measures and it has been accepted by both parties in this House and even by the independents and by the Government Benches also. All over we hear cries of the necessity of meeting this extraordinary situation which has risen whether it be in papers or whether it be by publicists. I suppose there is a unanimous acceptance of the position that there is an extraordinary situation in the matter of the growing indebtedness of the people and as I had the pleasure of remarking the other day, it seems to me that the first basic step of rural reconstruction should be to find relief for this canker which is gnawing at the vitals of the body politic.

The next question is whether legislative sanction is necessary. The necessity of legislative sanction at least in the case of agriculturists has been recognised by this House itself and therefore to go and discuss that question over again, as I said at the very outset would be superfluous and even unnecessary.

Then the next question is whether the benefits of those legislative measures should be extended to non-agriculturist

debtors. It seems to me that in the first place the agriculturists do not lose anything at all by extending the benefit to non-agriculturists. In this connection I am reminded of a parable of Christ. That parable states that labourers who came to work at different times of the day all received the same wages. Some raised a complaint against that but they were told that the complaint did not lie because everyone got his stipulated wages and it did not matter to them whether others got the same. It appears to me that parable has to be applied here in a greater sense because the agriculturists by the scaling down of their debts get relief and it does not matter to them whether relief is given to non-agriculturists at all. That is the first point I want to make out. In the second place it seems to me highly inequitable not to extend the benefit of such measures to non-agriculturists because the non-agriculturists very often would be affected in a tremendous measure by the relief given to agriculturists. I will take the case of a banker for example. The banker may have advanced out of 20 lakhs which is his capital 10 lakhs to agriculturists and by scaling down that 10 lakhs he may get perhaps only one lakh. Therefore the banker stands to lose 9 lakhs out of ten by the operation of this Bill. The Agriculturists Debt Relief Bill does not mention about the money due to the agriculturists. It mentions only the money due from agriculturists. If relief is not given to non-agriculturists also the banker will find himself in the horrors of liquidation because the relief has not been extended to banks. In the second place, we find that as a matter of fact that the same difficulty will arise in the case of kuri starters. The starters of kuries could not enforce the payment of moneys due to the kuries from agriculturist debtors. Therefore the banks will fail and kuri starters will fall. Then what about the jenmis? It is a well known fact that agriculturists, including the jenmis, are the most hard hit. They may have borrowed moneys. Therefore, now to tell the agriculturist that he need not pay the jenmi his dues and at the same time to tell the jenmi that he must pay all that is due from him is simply, to tell the jenmi, as I stated the other day, to go to the deepest part of the world. That will be the fate of the jenmi. Take the case of other non-agriculturists. We find that unless we extend the benefit of this sort of legislation to non-agriculturists also the ultimate state will be a sort of chaos and all the horrors arising out of a state of chaos will not only attach to the non-agriculturists but to agriculturists as well. If anything happens to the body politic it affects the whole body. The hand should not tell the leg 'I don't care whether you are ailing'. That will be a sort of foolishness. For these reasons it seems to me that the basic principles underlying the Bill whatever may be the

condemnation or approval that may be given to certain parts—are sound and I have absolutely no hesitation in supporting those basic principles and hence the Bill itself.

Mr. K. P. Kannan Nayar (*Secretary to Government*): Sir, the position of the Government so far as this Bill also is concerned is that the Government has to oppose it. In spite of the fact that the Bill is sponsored by the Cochin Congress Party and that there are representatives in that party of jenmis, and other interests considering the principles on which the whole Bill is cast, the Government have no other alternative but to oppose it. In the preamble or rather the objects and reasons of the Bill, the mover has stated that a similar Bill, not identical with the one that is now before the Council for its consideration, has been passed in Madras. The hon'ble mover was saying that the passing of that Act in Madras has been of very great benefit to the people for whose interest it was passed there. So far as I know and so far as I have been able to gather the result of the passing of that Act in Madras has been to annihilate credit. That has been the result.

Mr. T. K. Nayar (*Pazhayannur*): Question.

Mr. K. P. Kannan Nayar (*Secretary to Government*): One single instance I may be permitted to state so far as the benefits conferred by this Act in Madras are concerned. A few days back I happened to meet an old friend of mine who is practising at Tirur. He told me of an instance of a poor old Brahmin who had only Rs. 2,000 in all in this world as his asset and who was ruined by the passing of this Act. This old Brahmin had invested his money years back at $7\frac{1}{2}$ per cent interest with another who unfortunately for that Brahmin and fortunately for the debtor happened to be included within the scope of the Agriculturists' Relief Act. As the Brahmin had no other wherewithal to live on, he had to collect the interest year after year. Mind you the interest provided in the document was only $7\frac{1}{2}$ per cent—10 annas, and the transaction was an old one. He had a son too to be educated and a widowed daughter to maintain. He had been collecting interest for the last so many years. He did not know the implications of the Bill. Soon after the passing of the Act, the debtor turned round and said: 'I am not going to pay you anything more'. The poor Brahmin took his bond and went to his Vakil and told him about this. The Vakil told him, "dear friend, your debt has been wiped off because you have received by way of interest much more than the principal." The result was that the old man swooned at once. Fortunately he did not die. This is one of the notable miseries caused by the Act and

I do not think that our Government will go to this extent so far as our people are concerned.

Mr. A. V. Moothedan (*Chalakkudi*): May I know how many people were hard hit by the collapse of the Travancore National and Quilon Bank?

Mr. K. P. Kannan Nayar (*Secretary to Government*): Is that a justification? Many people have been hard hit by the failure of the Travancore National and Quilon Bank. So far as this Bill is concerned the hon'ble mover was saying that it has got the blessing of the jenmis. But I find the jenmi member saying: "save the jenmis' michavaram, save the jenmi." So far as this Bill is concerned if that is the co-operation of the jenmi member who belong to the Congress Party, I do not think he in any way supports such a measure. The Commerce member also is not supporting it. The mover of the Bill was saying that this is a Bill which has the unqualified support of all the members. The Commerce member says he is not supporting this measure. So far as the jenmies are concerned I find Mr. Ashtamurthi Namburipad protesting against some of the provisions of the Bill.

Now the mover of the Bill himself candidly admitted that so far as the Agriculturists' Relief Bill is concerned, if the Bill is passed, there may be the fear of the Agricultural credit going down. He himself anticipated it. The hon'ble member Mr. Moothedan is saying that if you extend the provisions to the other debtors also, then the whole credit in the country will go down. That also seems to be perfectly true. What would be the position then? If the object of this legislation is to do away with the credit in the State as a whole, then certainly it is the best measure that anybody can think of. Unfortunately Government cannot support such a measure which will have that effect. But whatever be the beneficial effects of this Bill, what I can very well foresee is that credit will be at a stand still—nay, it would be nil. It is stated that so far as the present generation is concerned he is born in debt, living in debt and is dying in debt and if the Bill is passed no doubt he will not bequeath debts. But the next generation will be labouring under another difficulty. That is if he wants to borrow money, he will not get it. Nobody will lend him a single pie hereafter.

Mr. T. V. Subramania Ayyar (*Nemmara*): What will they do with the money? Would they lock it up in their box?

Mr. K. P. Kannan Nayar (*Secretary to Government*): Whether they will lock it up in their box and use it whenever they want it without caring for interest is another matter. If

this Bill is passed probably people who have money will have to do like that.

So long as Cochin has to depend upon other countries as well for its credit, we are doing a great injustice in trying to scale down interest without consulting through others with whom we have dealings. Most of the merchants here are not trading with the money in their own hands. Many of the so-called big merchants in Cochin are trading on credit and unless that credit flows from some other source, there will be no trade here. If you say that hereafter interest will be 9 per cent or $7\frac{1}{2}$ per cent there will be nobody outside to give us any credit. What would be the result? I do not want to dilate further upon the several provisions. I am only speaking on the broad principles. Because there was a detailed argument with reference to the other Bill by my friend sitting on my right side here, I do not want to repeat all that he has said. If you dispassionately view several of these provisions you will find that the result of the passing of this Bill will be that instead of the benefits which you think will be conferred upon the people for whom it is intended, the result will be entirely the reverse. That is what I fear—that is what the Government feel. It will be impossible for the Government to lend its support to a measure of this kind.

Now what you have to consider is whether any drastic scaling down of debts is going to help the so-called debtors or the agriculturists unless there is actually a guarantee that he will not incur debts hereafter. No drastic scaling down or wiping away of the debts which are existing to-day will be a solution to improve their lot unless his future prosperity is assured and there is a guarantee given that he will not have to incur debts hereafter.

Mr. K. Kochukunhan Kaimal (*Vadakkancheri*): Why was the Usurious Loans Act passed? By the passing of that Act Government thought that it was necessary to reduce the interest to 12 per cent. We are only extending the principle of the Usurious Loans Act.

Mr. K. P. Kannan Nayar (*Secretary to Government*): What is the reason that you should scale down the interest from the very date on which the debt has been contracted by him? It may be 50 years before, when there was agricultural prosperity. I know a period when paddy was being sold at Rs. 100 and more for cart load of 70 paras. What is the use of saying that even in the case of debts incurred at that time the interest that has been actually paid should be taken into account?

Mr. K. Kochukunhan Kaimal (*Vadakkancheri*): The objection is with regard to the period for which the reduction is to be given?

Mr. K. P. Kannan Nayar (*Secretary to Government*): The objection is about the whole of it—from the beginning to the end. I do not want to go section by section. Section 8 says: you must take into account the date on which the transaction was incurred, calculate interest at the rate of 6 per cent, and after 1105 in the case of agricultural debts calculate at $4\frac{1}{2}$ per cent, and in the case of other debts at the rate of 5 per cent and then take an account of that, and then find out how much has been actually paid. If he has actually received much more than that, take that into account in settling the transaction and set off the excess payment. Fortunately for the creditors there is no provision here by which he is asked to refund. There is that redeeming feature so far as this Bill is concerned. Even if he has received something more than is allowed by this Act he has not to refund.

I can understand that the economic depression began in 1107 or 1105. If the scaling of debts is to begin from that date anybody can understand it. But what is the provision here? You scale down interest from the very date of the transaction—it may be 50 years before. There are several transactions like that. Now you calculate interest only at 6 per cent. Even when paddy was selling at Re. 1 per para and when some of these debtors themselves might have been trading in money and might have been receiving much more than what they have been paying what is the justification for such scaling down so that it is that thing that is very objectionable?

Mr. K. Kochukunhan Kaimal (*Vadakkancheri*): Is that an objection to the granting of this relief by the reduction of interest to a period where there was no absolute necessity? The argument seems to be that no reduction in interest is to be given at all. I can perfectly understand if it is stated that reduction of interest should not be allowed for a period when there was absolutely no necessity—prior to 1107. In that case probably there may be no justification. Now the argument on the Government side seems to be against the reduction of any interest. What is the attitude of the Government.....whether there is any necessity for giving relief by reduction of interest from at least a date when the depression began that is from 1107?

Mr. K. P. Kannan Nayar (*Secretary to Government*): If there had been such a measure confining its operation only for reduction of interest from a particular date then what the attitude the Government would take can be mentioned only when

such a Bill is placed before the House. The Bill for consideration of the House contains 2 or 3 points. One is the scaling down of the debt. That is the main principle. How is it that the debt could be scaled down? That is the first question. The process that is adopted is :—you calculate interest at 6 per cent irrespective of the provision in the document, whether it be 12, 20 or 24 per cent, carry it on to a particular date, from that date again there is a revised method of calculation adopted till the date on which this Bill is going to be passed into law. See what the result is. Arithmetically you will get a particular amount. If it wipes off the debt it is alright, if it does not, pay off only the balance. That is the principle of scaling down. No doubt there is the word 'reduction of interest' but the method that is adopted to reduce the interest from the very date of the transaction, however ancient or distant a transaction it might be, is one which the Government cannot understand. Payments might have been made.

മിസ്റ്റർ ടി. കെ. നായർ: ഇന്നത്തെ പെയിംഗ് കപ്പാസിറ്റി അനുസരിച്ചാണ് ഈ ബിൽ കൊണ്ടുവന്നിരിക്കുന്നത്. അതു മനസ്സിലാക്കുന്നില്ലെന്നു പറയുന്നതിന്റെ അർത്ഥമെന്താണ്?

Mr. K. P. Kannan Nayar (*Secretary to Government*): Yes. I understand. Then another objectionable thing here is the one pointed out by the hon'ble member for jenmies. So far as the jenmies who have been vigilant enough in the matter of realising their rent or michavaram are concerned, they are scot-free. In the case of the benevolent jenmies who have not been torturing their tenants, and taking action against them in a court of law, they will have to suffer. What is the effect here? All the previous arrears will be wiped off provided he pays the rent of the two years prior to the date of this Bill, so that in the case of those jenmies who have given time to their tenants, they are going to be hit hard if this piece of legislation is passed. In the case of others who have actually been vigilant in the matter of collection of rent they do not suffer. Therefore this Bill is to be considered a discriminative piece of legislation. Simply because they put off receiving the arrears they are made to suffer. No doubt my hon'ble friends' principle,—his present paying capacity—will come into play there also. But we must take into account the suffering capacity of the jenmi also. It is not necessary for me to multiply instances like this. Government certainly cannot support this measure.

* മിസ്റ്റർ കെ. അയ്യപ്പൻ: സർ, നടപ്പാക്കണമെന്നു വലിയ നിർബന്ധമില്ലാത്ത നിയമങ്ങളും കൊണ്ടുവരുവാൻ ഈ നിയമസഭയേക്കാൾ സൗകര്യം ചേരെ എങ്ങുമില്ല. എന്തു നിയമങ്ങൾ ആയാലും ഗതി, ഉടനെ

* Speech not corrected by the hon'ble member.

THE COCHIN DEBTORS' RELIEF BILL

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കൊച്ചി ഗവണ്മെന്റ് എതിർക്കുന്നതുള്ളതുകൊണ്ടു ഭയപ്പെട്ടവാനുമില്ല. അഥവാ ഭൂരിപക്ഷം സമ്പാദിച്ചു പാസ്സാക്കിയാലും ഗവണ്മെന്റ് നടപ്പാക്കുകയില്ലെന്നുള്ള ഉറപ്പോടു കൂടി എത്ര ബില്ലുകളും ഇവിടെ കൊണ്ടുവരാനും സാധിക്കും. (ഹീയർ, ഹീയർ) ഒരിക്കൽ പരഞ്ഞതിനെ പാലിയുവാണായിട്ടുള്ള ഒരു തത്വം ഗവണ്മെന്റ് എടുത്തിട്ടില്ലാത്തതിലാണ് എനിക്ക് ആശ്ചര്യം തോന്നുന്നത്. ഈ ബില്ലിനെ സംബന്ധിച്ചിടത്തോളം—ഇതു പാസ്സായാലും കൊള്ളാം, ഇല്ലെങ്കിലും കൊള്ളാം—ഇതു പാസ്സാക്കുവാൻ സാധിക്കുന്നില്ലെങ്കിൽ മിസ്റ്റർ A. V. മുത്തേടൻ കൊണ്ടുവന്നിട്ടുള്ള ബില്ലെങ്കിലും പാസ്സാക്കുകയാണു നല്ലത്. ഒരു പക്ഷെ മിസ്റ്റർ A. V. മുത്തേടൻ കൊണ്ടുവന്നിട്ടുള്ള ബിൽ പാസ്സാകുന്നതിന് ഈ ബിൽ പ്രതിബന്ധമാകുമെങ്കിൽ തീർച്ചയായും ഈ ബില്ലിന്റെ അവതാരകൻ ഇതു പിൻവലിക്കുമെന്നു തന്നെ ഞാൻ വിചാരിക്കുന്നു.

Mr. M. K. Devassy (Adur): I will be the first person to do it.

* മിസ്റ്റർ കെ. അയ്യപ്പൻ: ഈ രണ്ടു ബില്ലുകളേയും സംബന്ധിച്ചിടത്തോളമുള്ള നില ഇത്രയുള്ളു.

ഗവണ്മെന്റ് ഈ ബില്ലിനെ എതിർത്തത് ബില്ലുകളെ സംബന്ധിച്ചുള്ള വാദപ്രതിവാദങ്ങളിൽ എടുക്കേണ്ട തത്വത്തിൽ നിന്നുകൊണ്ടല്ല. ഈ ബില്ലിൽ പറഞ്ഞിട്ടുള്ള മാതിരി ഏതെങ്കിലും സൗജന്യം കടക്കാർക്കു ചെയ്യുന്നതിന് സമ്മതമുള്ള ഒരു തത്വം സമ്മതിയുവാൻ ഗവണ്മെന്റ് തയ്യാറാണോ? ഇതാണെന്റെ ചോദ്യം. (ഹീയർ, ഹീയർ). ഗവണ്മെന്റിനു സമ്മതമില്ലെങ്കിൽ ഞങ്ങൾ ഈ ബില്ലിലെ വ്യവസ്ഥകളോടു യോജിക്കുന്നില്ലെന്നു പറയാം. ബഹുമാനപ്പെട്ട ഗവണ്മെന്റ് സിക്രട്ടറിയവർകൾ പറഞ്ഞ പ്രയാസങ്ങളെല്ലാം സിലക്ട് കമ്മിറ്റിയിൽ വെച്ചു പരിഹരിക്കപ്പെടേണ്ടവയാണ്. പലിശ കായ്ക്കുന്നതിന് അനുകൂലമായ ഒരു ബിൽ പാസ്സാക്കുവാൻ ഗവണ്മെന്റ് തയ്യാറില്ലെങ്കിൽ “ഞങ്ങൾ തയ്യാറില്ലെന്നു” പറഞ്ഞു ഒഴിഞ്ഞുകളഞ്ഞാൽ ഒരു വിഷമവുമില്ല. അതു പറയുവാൻ തയ്യാറില്ലെങ്കിൽ ഈ ബില്ലിനെ എതിർക്കുവാനും പാടില്ലാത്തതാണ്. ഗവണ്മെന്റിന്റെ ഇപ്പോഴത്തെ നിലയിൽ ഒരു തരത്തിലും കടക്കാർക്കു രക്ഷ ചെയ്യുവാൻ ഗവണ്മെന്റ് തയ്യാറില്ലെന്നാണ് ഉൾക്കൊള്ളേണ്ടത്.

ഇവിടെ ക്രെഡിറ്റർസിന്റെ കാര്യം പറയുകയുണ്ടായി. അതിനെക്കുറിച്ച് മിസ്റ്റർ മുത്തേടൻ പരഞ്ഞതിൽ ചില അബദ്ധങ്ങൾ വന്നുപോയി എന്ന് അദ്ദേഹം തന്നെ സമ്മതിക്കുന്നു. ഇങ്ങിനെയുള്ള നിയമനിർമ്മാണങ്ങളെ സംബന്ധിച്ചിടത്തോളം ഞങ്ങളെല്ലാവരും സ്വന്തം ബുദ്ധി കൊണ്ടോലോ ചിച്ച് മാത്രമല്ല ചെയ്യുന്നത്. ബില്ലുകളും മറ്റും വലിയ വിദഗ്ദ്ധന്മാർ എഴുതിയുണ്ടാക്കിയതിനെ പകർത്തുക മാത്രമേ ചെയ്യുന്നുള്ളൂ. അങ്ങിനെ കൊണ്ടുവന്ന ബില്ലിനെപ്പറ്റി പറഞ്ഞുപോകുന്നതിനിടയ്ക്കു ചില അബദ്ധങ്ങളെല്ലാം വരും. ആ അബദ്ധങ്ങളെ കയറിച്ചിട്ടുകൊണ്ട് ബില്ലിനെ എതിർക്കുകയല്ല വേണ്ടത്. ഞങ്ങൾ പറയുന്നതിനിടയ്ക്കുള്ള ചില സംഗതികൾ സ്വീകരിച്ചാൽ ഇതിന്റെ ക്രെഡിറ്റർ ഇല്ലാതെയൊക്കുമെന്നു പറഞ്ഞു വാദം ശരിയുള്ള സ്റ്റാറ്റിസ്റ്റിക് വെച്ചാണോ പറഞ്ഞത്? മദിരാശിയിൽ ക്രെഡിറ്റർ ഇല്ലാതെയായി എന്നു പറഞ്ഞത് എന്തു സ്റ്റാറ്റിസ്റ്റിക് വെച്ചാണ്?

അതുണ്ടോണ്ടു ഗവണ്മെന്റ് ബഞ്ചിൽ നിന്ന് ഈ വിക കാര്യങ്ങൾ വാദപ്രതിവാദത്തിനു വരുമ്പോൾ എന്തൊ കരാർ മോഹാലസ്യപ്പെട്ട കാരണം വെച്ചു കൊണ്ടല്ല എതിർക്കേണ്ടത്. ശരിയുള്ള സ്റ്റാറ്റിസ്റ്റിക് വെച്ചുകൊണ്ടു പറയ

* Speech not corrected by the hon'ble member.

ണം. മദിരാശിയിലെ ബാങ്കുകളിൽ പണം വെറുതെയിരിക്കുന്നു. ഇതുവരെയും കഷ്ടകന്മാർ കടം കിട്ടുന്നില്ല. എന്നുള്ള ഒരു ദ്വേഷാതികമായ ഉത്തരവാദിപ്പെട്ട രേഖ വെച്ചുകൊണ്ടുണ്ടോ പറയുന്നത്? അങ്ങിനെ എന്തെങ്കിലുമുണ്ടെങ്കിൽ ഗവണ്മെണ്ടു ഭാഗത്തു നിന്നു പറയുക, കേൾക്കട്ടെ.

മിസ്റ്റർ കെ. പി. കുഞ്ഞുനായർ: കാൺഫറൻസിൽ വെച്ചു കോവാപ്പറേറീവ് രജിസ്ട്രാർ പറഞ്ഞിട്ടുള്ള കാരണങ്ങളെപ്പറ്റിയാണ് ഞാൻ പറഞ്ഞത്. അല്ലാതെ എന്റെ സ്വന്തം എക്സ്പീരിയൻസു വെച്ചുകൊണ്ടു പറഞ്ഞതല്ല.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: എന്താണ് അദ്ദേഹം പറഞ്ഞത്?

മിസ്റ്റർ കെ. പി. കുഞ്ഞുനായർ: മദിരാശിയിൽ ആകട്ടെ പാസ്സാക്കിട്ടുള്ളതുകൊണ്ടു വിചാരിയ്ക്കുവയാത്ത തുണങ്ങൾ ഉണ്ടെന്നു പറഞ്ഞിട്ടുണ്ട്.

* മിസ്റ്റർ കെ. അയ്യപ്പൻ: അങ്ങിനെ വിചാരിയ്ക്കുവയാത്ത തുണങ്ങളുണ്ടെന്ന് അദ്ദേഹം പറഞ്ഞില്ല. ഒരു സംഗതിയിലും ഒരു കാര്യംകൊണ്ടും അങ്ങിനെയുള്ള തുണം ഉണ്ടാകയില്ല. രണ്ടായിരം രൂപയുടെ കേസുവരികയാണെങ്കിൽ, അങ്ങിനെയുള്ള ന്യൂനതകൾ പരിഹരിക്കുവാൻ വല്ല പ്രൊവിഷനും കൊണ്ടുവരണമെന്നുണ്ടെങ്കിൽ ക്രമേണ ചെയ്യാമെന്നുദ്ദേശിച്ചു മദിരാശിയിൽ ഉടനെതന്നെ ബില്ലു ഫ്രെയിംചെയ്തുവിധത്തിൽ പാസാക്കുകയാണ് ചെയ്തത്. അപ്പോൾ കൂടുതലായിട്ടൊന്നും ആലോചിയ്ക്കുവാൻ അവർക്കു കഴിഞ്ഞില്ലെന്നുവരാം. അങ്ങിനെ മോഹാലസ്യപ്പെട്ടുപോയവരുടെ ദൃഷ്ടാന്തം വെച്ചുകൊണ്ടു ഇവിടെ പാടില്ല എന്നുപറഞ്ഞാൽ ശരിയല്ല.

ഇപ്പോൾ ഈ നിയമനിർമ്മാണത്തിൽ ആവശ്യപ്പെടുന്നത് കടംകൊണ്ടു ബുദ്ധിമുട്ടുന്നവർക്ക് രക്ഷയുണ്ടാകുവാൻ വേണ്ടി ഏതെങ്കിലും പ്രകാരത്തിൽ അവരുടെ കടത്തിൽ കുറെ ഇളവുചെയ്തു കൊടുക്കുക എന്നുള്ളതാണ്. എന്നാൽ അങ്ങിനെ രക്ഷചെയ്തു കൊടുക്കുന്നതിൽ ഏതെങ്കിലും ഒരു നയമെടുക്കുന്നത് പലിശ കുറയ്ക്കുന്നതിലാണെന്നു വന്നുകഴിഞ്ഞാൽ പിന്നെ ഡിപ്രഷൻ കാലത്തെപ്പറ്റി നോക്കിട്ട കൗതുകമില്ല. ഡിപ്രഷൻ കാലത്തിനുമുമ്പു വന്നിട്ടുള്ള കടത്തോടുകൂടിയുള്ള പലിശയുടെ ബുദ്ധിമുട്ടു ഡിപ്രഷൻ വന്നപ്പോൾ കുറച്ചുകൂടി വർദ്ധിച്ചു. അതുകൊണ്ടു ഡിപ്രഷൻ കാലത്തെപ്പറ്റി മാത്രം നോക്കിയാൽ പോരാ. ഈ ബില്ലിൽ എന്തെങ്കിലും ഒരു ഭേദഗതി വരുത്തുകയാണെങ്കിലും ഗവണ്മെൻറ് ഇതു സ്വീകരിയ്ക്കുവാൻ തയ്യാറുള്ളതായി കാണുന്നില്ല. എങ്ങിനെയെങ്കിലും കുറെ എതിരുകൾ പറഞ്ഞു ഇതിൽ പ്രയാസമുണ്ടാക്കണമെന്നു മാത്രമേ ഗവണ്മെൻറ് വിചാരിയ്ക്കുന്നുള്ളൂ. ഉവിടെ കൊണ്ടുവന്നിട്ടുള്ള രണ്ടു ബില്ലുകളും ഗവണ്മെൻറ് സ്വീകരിയ്ക്കുയാണെങ്കിൽ രണ്ടുവഴിയ്ക്കും കടക്കാരെ രക്ഷിയ്ക്കുവാനുള്ള മാർഗ്ഗമുണ്ടാകും. മിസ്റ്റർ മുത്തേടൻ്റെ ബിൽ ഇതിൽനിന്നും കുറെ വ്യത്യസ്തമായ നിലയിൽ എല്ലാതരത്തിലുള്ള കടക്കാർക്കും രക്ഷയുള്ളതായിരിയ്ക്കും. ഈ ബില്ലിൽ ഒരു വിഷമമുള്ളതു് കഷ്ടകന്മാരെ സംബന്ധിച്ചിടത്തോളമുള്ള ചിലഭാഗങ്ങൾ പിന്നോക്കമായിട്ടുണ്ട്.

എനിയ്ക്കു് ഈ അവസരത്തിൽ പറയുവാനുള്ളതു് രണ്ടു ബില്ലുകളും രണ്ടു സിലക്ട് കമ്മിറ്റിയെ എല്പിക്കണം. ഓരോ കമ്മിറ്റിയും ഓരോ നാക്കിട്ടു് രണ്ടുംകിട്ടിയാൽ അതു രണ്ടും ഇരിക്കട്ടെ. രണ്ടും ഒരു സിലക്ട് കമ്മിറ്റിയെ എല്പിക്കുയാണെങ്കിൽ രണ്ടിന്റേയും പ്രയോജനം പോകും. സിലക്ട് കമ്മിറ്റിയിൽതന്നെ വലിയ കഴപ്പുള്ളങ്ങളായി രണ്ടും ഫലമില്ലാതെയാകും.

അതുകൊണ്ടു് ഈ രണ്ടു ബില്ലും സിലക്ട് കമ്മിറ്റിക്കയ്ക്കുയാണ് വേണ്ടതു്. മിസ്റ്റർ മുത്തേടൻ്റെ ബില്ലിനെ സംബന്ധിച്ചിടത്തോളം കൊച്ചിൻ

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കോൺഗ്രസ്സ് കക്ഷിയ്ക്കു യാതൊരു എതിരുംമില്ല. അതുപോലെ ഈ ബിൽ പാസാക്കുന്ന കാര്യത്തിൽ കൊച്ചിൻ സ്റ്റോറു കോൺഗ്രസ്സ് കക്ഷിക്കും എതിരില്ല. രണ്ടു ബില്ലും പാസാക്കി ഓരോന്നായി ഗവണ്മെന്റിനു വെച്ചുകൊടുക്കുക. എന്താണു് ഗവണ്മെന്റിനു ഇഷ്ടമെന്നു വെച്ചാൽ അതു് സ്വീകരിക്കട്ടെ.

പിന്നെ ഈ രണ്ടു ബില്ലും ഒരേ സിലക്സ് കമ്മിറ്റിക്കുതന്നെ അയക്കുകയാണെങ്കിൽ അതു് കുപ്പിയും ഇരിമ്പും കല്ലുമെല്ലാംകൂടി ഒരു ചാക്കിൽ ഇട്ടു കെട്ടുന്നതുപോലെയിരിക്കും. അങ്ങിനെ കെട്ടിയാൽ ചിലതു പോട്ടിപ്പോകുന്നുണ്ടല്ലോ.

മിസ്റ്റർ കെ. പി. കുണ്ണൻനായർ: അതുകൊണ്ടാണല്ലോ കമ്മിറ്റിയിൽ പതിനൊന്നു ആളുകൾ വേണമെന്നു പറയാൻ കാരണം.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: രണ്ടിലും മറ്റു പേരെ വീതം വെക്കുക. ഗവണ്മെന്റ് ഇതു പാസാക്കിയാലും ഇതിലൊന്നും ചെയ്യുകയില്ല. ഏതായാലും ഞങ്ങൾക്കു സാധിക്കുന്നതു ഞങ്ങൾ ചെയ്യും. ഞങ്ങളെ ഭിന്നിപ്പിച്ചു ഭരിക്കാമെന്നു് നിങ്ങൾ വിചാരിക്കരുതു്. രണ്ടു ബില്ലും ഓരോ സിലക്സ് കമ്മിറ്റിക്കുവെച്ചു പാസായി വരട്ടെ. അതിൽ ഗവണ്മെന്റിനു ഇഷ്ടമുള്ളതു സ്വീകരിക്കട്ടെ. ഇത്രമാത്രമേ എനിക്കു പറയുവാനുള്ളൂ.

*** മിസ്റ്റർ പോപ്പറുലാൽ ഗോചർലനലാലൻ:** സർ, ഈ ബില്ലിനെ ഞാൻ എതിർക്കുകയാണുചെയ്യുന്നതു്. പക്ഷെ ഞാൻ വരുന്നതിനുമുമ്പു് ബഹുമാനപ്പെട്ട അവതാരകൻ ഈ ബില്ലിനെ ഞാൻ അനുകൂലിക്കുമെന്നു പറഞ്ഞതു് പക്ഷെ അദ്ദേഹം അങ്ങിനെ വിചാരിച്ചുകൊണ്ടു പറഞ്ഞുപോയതായിരിക്കാം. ഇതിലേക്കു പാട്ടി പിടിച്ചുനിന്നാൽ എന്റെ നിയോജകമണ്ഡലം വളരെ നാശമായിത്തീരും. എന്റെ നിയോജകമണ്ഡലത്തിലുള്ള ജനങ്ങൾ പ്രധാനമായി വളരെ നാശത്തിൽ എത്തിയിരിക്കയാണു്. പലിശ കുറക്കണമെന്നു പറഞ്ഞാൽ പലിശ വാങ്ങുന്ന ആളുകൾക്കും വളരെ അനുകൂലമാണു്. പക്ഷെ പണം കടംമേടിക്കുമ്പോൾ എന്തൊക്കെ കാര്യംപറഞ്ഞാണു് മേടിക്കുന്നതു എന്നുള്ളതു മനസ്സിലാക്കിട്ടും കുറെക്കാലം കഴിയുമ്പോൾ പലിശ വിട്ടു കൊടുക്കണമെന്നു പറഞ്ഞാൽ അതിനെപ്പറ്റി നല്ലവണ്ണം ആലോചിക്കേണ്ടതാണു്. നമ്മുടെ നാട്ടിൽ ചില ബാങ്കുകൾ എത്ര പണം കടം കൊടുക്കുന്നുണ്ടു്. പണമുള്ളവർക്കും മറ്റുള്ള ധനികന്മാർക്കും പലിശക്കു പണം കൊടുക്കേണ്ടതായിവരുന്നതാണു്. കൂടുതൽ പലിശകിട്ടുന്ന ബാങ്കുനോക്കിയാണു സാധാരണ ഡെപോസിറ്ററുചെയ്യുന്നതു്. ഇങ്ങിനെ കൂടുതൽ പണം ബാങ്കുകളിൽ ഡെപോസിറ്റു ചെയ്യുന്നവർ ധനികന്മാരാണ്. ബാങ്കിന്റെ കണക്കുനോക്കി അതിന്റെ ആദായത്തിൽനിന്നും ഇൻകംടാക്സ് കൊടുത്തതിനുശേഷമാണു് ഡിവിഡൻഡു് വീതിക്കുന്നതു്. ഈ ബിൽപ്രകാരമാണെങ്കിൽ ഓരോരുത്തരും അഞ്ചോ ഏകാല്പമായി വാങ്ങിച്ചുകൊണ്ടുപോയിട്ടുള്ള പലിശ മടക്കി കൊടുക്കേണ്ടതായിവരും. അതുകൊണ്ടു് ഇതു ഒരു അത്ഥമില്ലാത്ത ബില്ലാണെന്നു പറയാതെ തരമില്ല.

മലബാറിലെ സ്ഥിതി എന്താണെന്നുള്ളതു് ഒന്നു അന്വേഷിച്ചുനോക്കിയാൽ അറിയാം. അവിടെ ബിൽ പാസായതിനു ശേഷം അവിടുത്തെ സ്ഥിതിയും നമ്മുടെ ഈ ബില്ലിന്റെ സ്ഥിതിയുടേതു നോക്കുമ്പോൾ, 'ദാവ ലേഴ്സ & മക്കി' യുടെ കഥ പോലെയാണിരിക്കുന്നതു്. ഒരുത്തൻ തൊപ്പിയെടുത്തതുകണ്ടു് ഉടനെ എല്ലാവരും തൊപ്പിയെടുത്തതുപോലെ മറ്റാസിൽ ഒരുബിൽ പാസ്സായി, അതുകണ്ടു് ഉടനീളം ഒന്നു പാസാക്കണമെന്നു പറയുന്നു.

* Speech not corrected by the hon'ble member.

എന്നു മാത്രമേയുള്ളൂ. കടം വാങ്ങിച്ചാൽ അതു കൊടുക്കണം, അല്ലെങ്കിൽ കൊടുക്കണ്ട എന്നു പറയുന്നതിൽ ഭേദം രാജ്യയിലെ “ബോർഡേവിംഗ്” നു ട്രഷററുമാർക്കു നല്ലതു്.

മിസ്റ്റർ വി. ജെ. മത്തായി: ഈ ബില്ലു കൊണ്ടു ബാങ്കിനും ഗുണമുണ്ടല്ലോ?

മിസ്റ്റർ പോപ്പുലാർ തോവൽനലാലൻ: ബാങ്കുകാർ പൊതുജനങ്ങളുടെ പണം മേടിച്ചുകൊണ്ടു ജീവിക്കുകയാണെങ്കിൽ അതു കഷ്ടമാണ്. എന്നാൽ അവർ ഭീഷങ്കാലത്തെ നില കണ്ടു പണം വാങ്ങിച്ചു അതു കളയാതെ സൂക്ഷിച്ചുകൊണ്ടു ബാങ്കു നടത്തുന്നതുകൊണ്ടു അവർക്കു വളരെ ബുദ്ധിമുട്ടായി വരും. അതിനു വളരെ ബുദ്ധിമുട്ടുണ്ടെന്നു ബഹുമാനപ്പെട്ട മെമ്പർമാർക്കു തന്നെ അറിയാം. ഇപ്പോൾ പണക്കുറവും കടം കൊടുക്കാതെയാണു് ഇരിക്കുന്നതു്. വസ്തുക്കളിന്മേൽ പണം കൊടുത്താൽ കുറഞ്ഞ പലിശയെ കിട്ടുകയുള്ളു. കൂടുതൽ പലിശ കിട്ടിയാലെ അവർ പണം കൊടുക്കുകയുള്ളു. ഇതു് കൊച്ചിയിലെ കച്ചവടക്കാരോടു തന്നെ അന്വേഷിച്ചാൽ അറിയാം. ഈ ബിൽ കൊണ്ടു വാങ്ങിച്ചാൽ കൊടുക്കണ്ട എന്നു വന്നു കഴിഞ്ഞാൽ ആവശ്യമുള്ളവർക്കു പണം തിരെ കിട്ടാതെ വരും.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: കടം വാങ്ങുന്നവരിൽ നിന്നു ഇതിനു എന്തിനു വരുമ്പില്ലല്ലോ.

മിസ്റ്റർ പോപ്പുലാർ തോവൽനലാലൻ: ഈ ബിൽ പാസായാൽ അവരുടെയിടയിൽ നിന്നു എന്തിനു വരും.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: ഇപ്പോൾ വാങ്ങുന്നവരുടെയല്ല, വാങ്ങാനുള്ളവരുടെ കാര്യമാണു് ഞാൻ പറയുന്നതു്.

മിസ്റ്റർ പോപ്പുലാർ തോവൽനലാലൻ: അവർക്കും ഇഷ്ടമല്ല. ഇങ്ങിനെയുള്ള ചില ബിൽ കൊണ്ടുവന്നാൽ പിന്നെ ഇവിടത്തെ കച്ചവടം നടക്കുകയില്ല. അതുകൊണ്ടു ഈ ബിൽ പാസാക്കാൻ പാടില്ല എന്നാണു് ഞാൻ പറയുന്നതു്. ഇതുകൊണ്ടു് നമ്മുടെ നാട്ടിലുള്ള കച്ചവടം നശിക്കുകയും ബാങ്കുകളെല്ലാം നിരന്തരാക്കുകയും ചെയ്യേണ്ടിവരും. ഇവിടെയുള്ള ബാങ്കു നശിക്കുമ്പോൾ പറമെയുള്ള ബാങ്കുകളോടൊക്കെ നിലനില്ക്കുകയും ചെയ്യും. പറമേയുള്ള ബാങ്കിൽ ഒരു നൂറു രൂപാ കടം വാങ്ങുവാനായി ചെന്നു നോക്കുക, അപ്പോൾ അറിയാം ബഹുമാനപ്പെട്ട മെമ്പർമാർക്കു ഇതുകൊണ്ടുള്ള ബുദ്ധിമുട്ടു്. ഈ ബില്ലു് പാസായിട്ടുള്ള രാജ്യങ്ങളിൽ പലവിധത്തിലുള്ള ബുദ്ധിമുട്ടുകളുമുണ്ടു്. തിരുവിതാംകൂറിലും ആ ബുദ്ധിമുട്ടുള്ളതായി കാണുന്നുണ്ടു്. ഈ ബിൽ പാസാക്കിട്ടുള്ള രാജ്യങ്ങളിലെ സ്ഥിതിരതികൾകൊണ്ടു് ഗുണമുണ്ടെന്നു ബോദ്ധ്യമാകുന്നതുവരെ ബഹുമാനപ്പെട്ട മെമ്പർക്കു മിടുപിരിക്കുക എന്നാണു് ഞാൻ ആവശ്യപ്പെടുന്നതു്. അതുകൊണ്ടു് ഇങ്ങിനെയുള്ള കാര്യം നിയമങ്ങൾ പാസാക്കി രാജ്യത്തെ നശിപ്പിക്കാതിരിക്കണമെന്നു ഞാൻ എല്ലാ മെമ്പർമാരോടും അപേക്ഷിക്കുന്നു.

Mr. V. K. Krishnankutty (Ezhuvas-Trichur): The opposers of the Bill under the able leadership of the Hon'ble the Chief Secretary have been very careful to reinforce and illuminate their arguments by means of certain specific instances. The Hon'ble Secretary's argument against the Bill is that the operative portion will work great hardships to a certain class of

creditors and hence the Bill is injurious to a section of society. The next argument is that the credit will go out of the land and the capital will get shy. With regard to the first argument which has been illustrated so beautifully by the Hon'ble Secretary, by means of the story of the old Brahmin and his widowed daughter I wish to bring to the notice of this House some of the instances which have attracted my attention since the economic depression began. I may state that one young friend of mine—not an old friend—whose father died some 6 years ago and who has married a girl from a respectable family, had earned about Rs. 2,000. With that Rs. 2,000 he purchased properties worth Rs. 3,000 and mortgaged the properties back again to the original owner for Rs. 1,000. When the economic depression began the interest mounted to Rs. 500 since he had to meet other expenses. The value of the property went down to Rs. 1,000. Eventually the creditor sold the property in court auction for Rs. 1,000 and for the remaining Rs. 500 execution was taken against his person. He was arrested and in utter disappointment the young gentleman died of typhoid. By that time his sister was married to a very respectable family. Unfortunately her husband died and returned to her brother's house. It was a very hard cut—the most unkind cut of all. I may say there are several old friends, young friends and middle aged friends in my locality who have suffered similar shocks due to economic depression. Arguing from a single example to a generality will be dangerous in matters like this. It is a known principle of legislation that all legislation will adversely affect somebody or other in the result. It will be very difficult to do unmixed good to all equally and I do not wish to add many more illustrations. I will finish with two. One retired old gentleman was having his evening walk on the railway lines and the train knocked him down and he was killed. On the next day I thought of moving a resolution in this House to abolish this railway—so that people may have the liberty of taking their evening walk after retirement. But I thought that this simple illustration will not be an argument for the abolition of the railway and that I will be befooled in this House.

The other day in Karkadagam I read some news in the Gomathi or some other daily—not Malabar Mail—that a certain fisherman died in the harbour. It was a very hard case. That fisherman had 6 children, all left without a father. There was nobody to look after them. The harbour authorities ought to be asked to level up the harbour so that such incidents may be avoided in future. With regard to the illustration of the monkey and the cap I leave it there because we need not take the illustration of

monkeys in this House. Without multiplying illustrations of a like nature I will only say the second argument namely that the credit will go out of the world, that capital will get shy will not hold water, I say that after the first shock is over the shyness will go and capital will come out to meet the debtors. There will be no doubt some first shock which will be over within a year or two. But the very fact that the Government took upon themselves the duty to enact Usurious Loans Act makes them accept the principle that certain extraordinary remedies are required in cases of certain extraordinary distress. With these remarks I strongly support the motion.

മിസ്റ്റർ ബി. എം. പീറ്റർ: സർ, മിസ്റ്റർ മുത്തേടന്റെ ബിൽ അവതരിപ്പിച്ചപ്പോൾ അതിനെ അനുകൂലിക്കണമൊ വേണ്ടയൊ എന്നു സംശയമുണ്ടായിരുന്നു. പക്ഷെ ആ സംശയത്തെ തീരെ നിരാകരിക്കുകയാണ് മിസ്റ്റർ മേ. റസ്സിന്റെ ബിൽ കൊണ്ടു ചെയ്തത്. എന്തുകൊണ്ടെന്നാൽ ഇന്നു കഷ്ടതകൾ വലുതായ നിരാശാഗർഭത്തിൽ എത്തിയിരിക്കുന്ന ഒരവസരമാണ്. ഇന്നു കൃഷിക്കാർക്കു അവർ കൊടുത്തിരിക്കുന്ന പണത്തിന്നു പലിശ കണക്കാക്കുന്നതായാൽ ൨ ശതമാനമൊ അതിന്നു മേലൊ ആയി വസ്തുവിൽ നിന്നു അവർക്കു പലിശ കിട്ടുന്നില്ല. അതേസമയത്തന്നെ അവർ ൧൨ ശതമാനം പലിശ കൊടുക്കണമെന്നു പറഞ്ഞാൽ അവർ അതു എവിടെ നിന്നു കൊടുക്കും.

മിസ്റ്റർ പോപ്പറുലാൽ ഗോവർണ്ണലാലൻ: രണ്ടു വാങ്ങിച്ചിട്ടു ന് കൊടുക്കുമൊ?

മിസ്റ്റർ ബി. എം. പീറ്റർ: അപ്പോൾ ഇതിൽ നിന്നു നമുക്ക് മനസ്സിലാക്കുന്നത് അവരുടെ സങ്കടത്തിന്നു ഒരു നിവാരണമുണ്ടാകുന്നതിന്നു ഗവണ്മെന്റിന് ചുരുതലയുണ്ടെന്നാണ്. അതുകൊണ്ടു കണയന്നാൽ ഇപ്പോൾ ഗവണ്മെന്റുപോലെ ഇതിന്നു എന്തെങ്കിലും ഒരു നിവാരണം ചെയ്തു കൊടുക്കുവാൻ ഗവണ്മെന്റ് തയ്യാറാണോ? അതായത് കഷ്ടതകളുടെ സങ്കടത്തിന്നു ഒരു നിവാരണം ചെയ്തുകൊടുക്കുവാൻ ഗവണ്മെന്റ് തയ്യാറാണോ? അവരുടെ സങ്കടത്തിന്നു ഒരു പരിഹാരമുണ്ടാക്കേണ്ടത് അത്യാവശ്യമായിട്ടുള്ളതു കൊണ്ടാണ് ഇവിടെയുള്ള രണ്ടു പാട്ടിക്കാരായ കൊച്ചിൻ സ്റ്റേറ്റ് കോൺഗ്രസ്സ് പാട്ടിയിൽ നിന്നും കൊച്ചിൻ കോൺഗ്രസ്സ് പാട്ടിയിൽ നിന്നും ഓരോ ബിൽ അവതരിപ്പിക്കുവാൻ ഇടയായത്. അതല്ലാതെ ഇലക്ഷനുവേണ്ടിയുള്ള ഒരു പ്രോപ്പഗൻഡായാക്കിയിട്ടു ഇതു കണക്കാക്കേണ്ട കാര്യമില്ല. ഞങ്ങളുടെ പാട്ടിയിൽ തന്നെ നോക്കിയാൽ വലിയ സ്വത്തുകാർ അധികം കാണുകയില്ല. ഈ പാട്ടിയിൽ പെട്ട ആളുകൾ മേടിച്ചാൽ കൊടുക്കാത്ത ആളുകളാണെന്നു ചിലർ പറഞ്ഞു പറത്തിയിട്ടുണ്ട്. പക്ഷെ എതിർ പാട്ടിയിൽ നിന്നും അതേതരത്തിൽ തന്നെ ഒരു ബില്ലു കൊണ്ടുവന്നപ്പോൾ അങ്ങിനെയുള്ള ഒരാക്ഷേപത്തിന്നു ഇടയില്ലെന്നു ഇവിടെ തീർച്ചയായി.

മിസ്റ്റർ കെ. അയ്യപ്പൻ: കാര്യങ്ങളൊക്കെ അവർക്കു അറിഞ്ഞുകൂട. പണം കെട്ടിവെച്ചിട്ടുള്ളവർക്കു കാര്യം അറിയാമോ?

മിസ്റ്റർ ബി. എം. പീറ്റർ: ഈ നിയമം പാസ്സാക്കിയാൽ മേലാൽ പണം കടം കിട്ടാതെ വരുമെന്നു ഒരു സംസാരമുണ്ട്. പക്ഷെ ആ സംസാരത്തോടു കൂടി ഞാൻ യോജിക്കുന്നില്ല. ഈ ഇരുപതാം നൂറ്റാണ്ടിൽ പണം വ്യഥാ പെട്ടിയിൽ വെച്ചുകൊണ്ടിരിക്കുമെന്നു ബോധ്യ

മക്കളിൽ ആ മനസ്സിൽ മാറ്റം. ഞാൻ പറയുന്നതു യാതൊരു ബാങ്കിലും പണമിടാതെയായാൽ വസ്തുക്കൾക്കു വില കൂടുമെന്നാണ്. ഇപ്പോൾ ഭാവൻകുർ നാഷണൽ ആൻഡ് കമ്പയിലോൺബാങ്കു പൊളിഞ്ഞിട്ടുണ്ടെങ്കിൽ അതു് ഒരു നഷ്ടമായിട്ടു ഞാൻ കണക്കാക്കുന്നില്ല. ആ പൊളിച്ചുകൊണ്ടു് ബാങ്കിൽ പണം ഇടുവാൻ ആരും തീർച്ചയാക്കയില്ല. ബാങ്കിൽ പണമിടാതെയായാൽ ആ പണം കൊണ്ടു വസ്തു വാങ്ങിക്കുവാൻ നോക്കും. അങ്ങിനെ വസ്തുവിനു വില കൂടുകയും നമ്മുടെ കൃഷിക്കാർക്കു തങ്ങളുടെ വസ്തുവിനു വിലവെച്ചാൽ ഇപ്പോഴുള്ള ദുരിതങ്ങൾക്കു കുറെ കാര്യം കിട്ടുന്നതാണ്. അതുകൊണ്ടാണ് ഞാൻ ഈ ബില്ലിനോടു പുണ്യമായി യോജിക്കുന്നത്.

*Dr. A. R. Menon (*Minister of Rural Development*):
Sir, I have been considering during the discussion of this measure whether I should simply sit quiet or intervene in this debate. After considering the pros and cons, I think that I am in duty bound to intervene in this debate and place my views on this Bill before the House. As you are very well aware I owe a double loyalty. There is a loyalty to the Government, but there is a much more greater loyalty to the people (*Hear, hear*) by whose franchise I occupy the place that I am in now. Therefore, when I am convinced that a certain course of action adopted by the Government is not consistent with the public interest, which does not meet public requirements, I shall be false to myself if I simply resume my seat here without opening my mouth. I believe, Sir, that whatever may be the merits or demerits of this measure, there are no two opinions in this country that some sort of ameliorative measures ought to be taken, to give relief to the peasants and in a general way to the people at large. While we must recognise the rights of the bankers, Government ought to consider that the country does not live for the convenience of the bankers alone (*Hear, hear*). I believe, Sir, and I have noted for the last so many years that the viewpoint of the banker outweighs the opinions of this House (*Shame*). The time has come when we must cease to consider the susceptibilities of the interest of the banker and place his interest above all other interests. Unless we do that, there is no meaning in saying that a kind of popular system of Government is introduced here, but at the same time I fully realise that there is a grave responsibility on the part of those who represent the popular views here and who introduce measures to ameliorate the conditions as they see them. I am not prepared to say that all the measures that we have introduced here have been introduced with full realization of the difficulties that confront the Government. There is on one side a blind opposition and on the other a blind way of bringing in Resolutions and Bills without considering the full implications of the measures; but when we reach such a

*Speech not corrected by the hon'ble member.

stage, in my humble view, the method to be adopted is to send these Bills into a committee and make such alterations consistent with the requirements of the time and of the people instead of blindly saying that these Bills have got such and such defects, and opposing the same. If you pursue on these lines where is the end of it? What is the object of thinking about these measures? I do not say that these Bills have reached perfection. Certainly when a person introduces a Bill he is actuated by certain ideas. He may belong to a class or his sympathy may be with a class, and there would be a clashing of interest between that class and the other classes. It is the duty of the Government to hold the balance evenly, fairly, and squarely and point out the difficulties of the situation, and make such alterations as they deem fit. I have no doubt that such alterations, not in the long run, will be acceptable to this House. Let me quote one instance. There has been a Committee—the Antony Committee, a departmental committee, a committee appointed by the Government—which after making laborious investigations travelling from one end of the State to another, at break neck speed submitted proposals to the Government. Those proposals in my view are really very moderate ones. We have not yet been told why such a mild measure in such mild nature has not met with the approval of the Government. I hold, Sir, and I believe that the Government have got a responsibility to look into this matter and if they are convinced that there is real difficulty, there is real hardship upon the major portion of the population, the Government must have the courage to deal with this problem instead of bringing out certain arguments on certain aspects of the Bill, which of course may be objectionable.

For these reasons, whatever may be the fate of this Bill, I ask the Government to introduce a Bill of their own taking into consideration all these various aspects and give relief. Do you not see the effect of these measures in the neighbouring Provinces? There may be certain defects in them and I am one who is most experienced and who has first hand information about the difficulties of this Bill in the neighbouring Provinces.

Mr. K. Ayyappan (*Ezhuvas-Kanayannur*): And about the benefits?

Dr. A. R. Menon (*Minister for Rural Development*): Yes. On the other hand the benefits accrued also must be considered. As has been aptly observed by Mr. Krishnankutty in all these measures it is inevitable that some people will be hard-hit and it is the duty of the Government to see that these people around us are not so hard-hit as it would be by taking the measures

wholesale. Why not say 'you shall not go so far, reduce this, reduce the period, this principle is unacceptable, there is no objection, the policy is like this'? 'I will not bring in a measure and I will oppose every measure brought forward by others on the ground that it is defective'—it is a proposition which I cannot understand which I cannot subscribe to, which is a position in my opinion, untenable. That is the position.

I think that the House and the Government should realise there is certainly a change in the administration here. You must realise that there will be a change in the attitude. I want the pleading of the banker, the incessant pleading of the banker and of every other moneyed classes to come to an end. At the same time I am anxious that there shall not be that feeling that moneyed people should be persecuted without reason. I do not think that that is the view point of any member here, when they bring in any measure. As I said they are actuated by the interests of certain classes whom they represent. They are the best Judges to decide whether they have gone too far or not. That position of sitting as a Judge and doling out equal justice must be taken over by the Government and that must be discharged. That, I hold ought to be the position. I think, Sir, under the circumstances to sit quiet in this corner will be a kind of moral dishonesty, an intellectual dishonesty, and therefore I ventured to express these views before the House.

*മിസ്റ്റർ കെ. ആർ. വിശ്വംഭരൻ: മിസ്റ്റർ പ്രസിഡണ്ടു്, സർ, കൊച്ചിൻ കോൺട്രാസ്റ്റ് പാട്ടിയിൽ നിന്നു അവതരിപ്പിച്ചിരിക്കുന്ന കടനിവാരണ ബില്ലിനെ ഞാൻ അനുകൂലിക്കുന്നു. ഈ സഭയുടെ സ്വീകരണത്തിനായി അനുജ്ഞാഗന്ധം പക്ഷത്തുനിന്നു എന്തു ബിൽ കൊണ്ടുവന്നാലും, എന്തു പ്രമേയം കൊണ്ടുവന്നാലും അതിൽ സാങ്കേതികമായ ചില നൂനതകളുണ്ടു് എന്നു പറഞ്ഞു അവയെ ചൂണ്ടിക്കാണിച്ചും, അല്ലെങ്കിൽ വാചകങ്ങൾക്കു് സൌജന്യ മില്ലെന്നുപറഞ്ഞും ഗവണ്മെണ്ടു് പക്ഷത്തുനിന്നു എന്തുക്കുന്ന ഒരു പതിവുണ്ടു്. കൊച്ചി രാജ്യത്തിൽ ഉത്തരവാദിത്വഭരണം സ്ഥാപിക്കപ്പെട്ടു എന്നു നമ്മൾ അഭിമാനിച്ചുകൊണ്ടിരിക്കുന്ന ഒരു കാലത്തിൽ ഏറ്റവും ചരിത്രസ്മരകമായ ഒരു കാര്യമാണു് ആ ബഞ്ചിൽ നിന്നു കേൾക്കാൻ കഴിഞ്ഞതു്. ഗവണ്മെണ്ടിന്റെ ഒരു പക്ഷക്കാർ അവരുടെ ന്യായങ്ങൾ പറഞ്ഞുകൊണ്ടു് ജനകീയ താല്പര്യങ്ങളെ എന്തുക്കുമ്പോൾ, ഗവണ്മെണ്ടിന്റെ വേറൊരു പക്ഷമായ ബഹുമാനപ്പെട്ട മിനിസ്റ്റർ അതിനെ അനുകൂലിച്ചുകൊണ്ടു് ഗവണ്മെണ്ടിനെ വിമർശനം ചെയ്യുന്ന കാര്യം ഇന്നു കാണാൻ കഴിഞ്ഞു. കൊച്ചിയിൽ ഉത്തരവാദിത്വഭരണം സ്ഥാപിക്കപ്പെട്ടു എന്നഭിമാനിക്കുന്ന നമ്മൾക്കു ഇങ്ങിനെയുള്ള പരസ്പര വിരുദ്ധങ്ങളായ നിലകളെക്കുറിച്ചെന്നാണു പറയാൻ കഴിയുന്നതു്. കൊച്ചിയിലെ ജനങ്ങൾക്കു എന്തെല്ലാം സംരക്ഷണകരം ചേണമോ അതെല്ലാം ഈ നിയമസഭ വഴി ചെയ്തുകിട്ടണമെന്നു് എല്ലാ ജാതിമതസ്ഥന്മാരായ ആളുകളും വിവിധ താല്പര്യക്കാരായ ആളുകളും ആഗിക്കയും അഭിലഷിക്കയും ചെയ്യുന്നുണ്ടു്. അതിനെതിരായി യാതൊരു തടവും ഇവിടെ ഗവണ്മെണ്ടിനു പറയാൻ നി

*Speech not corrected by the hon'ble member.

പ്രാധമ്യം. ഞാൻ പറയുന്ന ഈ നിയമസഭയിൽ തന്നെ കടന്നിറങ്ങുന്ന പദ്ധതിയെക്കുറിച്ചുവെക്കുന്നതിനുള്ള ഉത്തരവാദിത്വത്തോടു കൂടിയാണ് ഞങ്ങൾ ഇവിടെ വന്നിരിക്കുന്നതെന്ന്. അങ്ങനെ ദീർഘമായ ഒരു നിർദ്ദേശത്തോടു കൂടി ഞങ്ങളുടെ നിയോജകമണ്ഡലങ്ങളിൽ നിന്നു ഒരു പ്രത്യേക ചുമതലയോടും അതിന്നനുസരിച്ചുള്ള കാര്യപരിപാടിയോടും കൂടി വന്നിരിക്കുന്ന ഞങ്ങൾക്കു, ഈ ബില്ലിനു സൗന്ദര്യം പോര, സാങ്കേതികമായ നൂനതകളുണ്ടു എന്നൊക്കെ പറഞ്ഞു ഭക്ഷറി ബഞ്ചിൽനിന്നെത്തുടക്കയാണെങ്കിൽ അതു കണ്ടുകൊണ്ടു ഞങ്ങൾ അടങ്ങിയിരിക്കുകയില്ല. നൂനതകളുണ്ടെങ്കിൽ അതിനെ ചൂണ്ടിക്കാണിക്കുക മാത്രമല്ല വേണ്ടതു്. വലിയ ശമ്പളവും പറ്റിയിരിക്കുന്ന ഉത്തരവാദമുള്ള ഗവണ്മെന്റുജോഗസ്ഥന്മാർ ജനങ്ങളുടെ രക്ഷയെ ഉദ്ദേശിച്ചുള്ള ഒരു ബില്ലിൽ ഇങ്ങനെ ചില നിസ്സാരങ്ങളായ കുറവുകൾ പറഞ്ഞു എന്തുകൊണ്ടു അതിനെ എത്രക്കുറവെന്നു ഞാൻ ചോദിക്കുന്നു? കൃഷിപ്പിഴവുകൾകൊണ്ടും സാമ്പത്തികാധിപത്യംകൊണ്ടും കർഷകസംരക്ഷണത്തിനു സ്വാഭാവികമായി ഒരു നിയമനിർമ്മാണം ഗവണ്മെന്റിൽ നിന്നു തന്നെ ചെയ്യേണ്ട ആവശ്യമുണ്ടായിരിക്കട്ടെ, അനുജോഗസ്ഥപക്ഷത്തു നിന്നു ഭൂരിപക്ഷാഭിപ്രായത്തോടു കൂടി ഇങ്ങനെ ഒരു ബിൽ കൊണ്ടുവന്നിട്ടുള്ളതു സ്വീകരിക്കാതെ, ബില്ലിൽ ചില തെറ്റുകളുണ്ടെങ്കിൽ അതു മാത്രം ചൂണ്ടിക്കാണിച്ചു ഈ തരം വെറും ബാലിശങ്ങളായ വാദങ്ങൾ കൊണ്ടു എത്രക്കുറവാണ് ചെയ്യുന്നതു്. അനുജോഗസ്ഥപക്ഷത്തുനിന്നു് കൊണ്ടുവരുന്നതെല്ലാം ഇങ്ങനെ എത്രക്കുറവു എന്ന ആ സമ്പ്രദായത്തെ ഞാനെതിർക്കുകയും, ഈ ബില്ലിനെ അനുകൂലിക്കുകയും ചെയ്യുന്നു.

*മിസ്റ്റർ എം. തിവാറാമമേനോൻ: സാമ്പത്തികാധിപത്യം മൂലം ഈ കൊച്ചിയിലെല്ലാ, മറ്റു രാജ്യങ്ങളിൽകൂടി, കർഷകരുടെ ഇടയിൽ തന്നെയല്ല, പൊതുവെ സകല ജനങ്ങളുടെ ഇടയിലും വിഷമമുണ്ടായിട്ടുണ്ടെന്നു നമ്മുടെ ഗവണ്മെന്റു പണ്ടുതന്നെ സമ്മതിച്ചിട്ടുള്ള സംഗതിയാണ്. എന്നാൽ ഗവണ്മെന്റിൽ നിന്നു ഇതേവരെയും കർഷകരുടേയും കടത്തിൽ അകപ്പെട്ടുകിടക്കുന്ന മറ്റുള്ളവരുടേയും രക്ഷയ്ക്കായി യാതൊരു മാർഗ്ഗവും ചെയ്തിട്ടില്ലെന്നും, അതിനാൽ അതിലേക്കു ഗവണ്മെന്റു ചെയ്യേണ്ട മാർഗ്ഗങ്ങൾ ഇന്നിന്നതാണെന്നും ഇതിന്റെ അന്താരകൻ തന്നെ അദ്ദേഹത്തിന്റെ പ്രസംഗത്തിൽ ചൂണ്ടിക്കാണിക്കുകയുണ്ടായി. എന്നാൽ ഈ വക സംഗതികളിൽ ഗവണ്മെന്റു യാതൊന്നും ചെയ്തിട്ടില്ലെന്നു ആർക്കും വാദമില്ല. എത്ര കാര്യത്തിലും, കർഷകർ വേണ്ടിയൊ, മറ്റു കടക്കാർക്കു വേണ്ടിയൊ അവരുടെ സംരക്ഷണത്തിനുള്ള ഒരു ബിൽ വരുമ്പോൾ അതു ഇവിടെയുള്ള എല്ലാപേർക്കും സമ്മതമായിരിക്കുമെന്നും ഗവണ്മെന്റു അതേപടിതന്നെ സ്വീകരിക്കുമെന്നും വിചാരമില്ല. നമുക്കു ഉപാധമായി നോക്കേണ്ടതു ഗവണ്മെന്റിന്റെ വാദാനുസരിച്ച സാമ്പത്തികാധിപത്യംകൊണ്ടു കൃഷിക്കാർക്കോ മറ്റു കടക്കാർക്കോ കാര്യമായ കുഴപ്പങ്ങളുണ്ടായിട്ടുണ്ടോ എന്നാണ്. അങ്ങനെയൊന്നെങ്കിൽ ആ വാദത്തെപ്പറ്റി ശ്രദ്ധിച്ചു പശ്ചാലോചിച്ചു തീരുമാനിക്കേണ്ടതാണ്. ഗവണ്മെന്റിൽനിന്നുണ്ടായിട്ടുള്ള വിമർശനങ്ങളെ കൊണ്ടും ഗവണ്മെന്റിൽ നിന്നും ഉദാഹരിച്ചിട്ടുള്ള മറ്റു പല കാര്യങ്ങളെ കൊണ്ടും സാമ്പത്തികാധിപത്യം ഇവിടെയുണ്ടായിട്ടുണ്ടെന്നു തെളിയിച്ചിട്ടുണ്ട്. അതിനു പല റിക്കാർട്ടുകളും, കൺസിൽ പ്രൊസിഡിംഗ്സുകളുമുണ്ട്. അങ്ങനെയിരിക്കുന്ന സ്ഥിതിക്കു ഗവണ്മെന്റിൽ നിന്നു എന്തെങ്കിലും പരിഹാരമുണ്ടാക്കി കടക്കാരെ രക്ഷിക്കേണ്ട ചുമതല ഗവണ്മെന്റിനുണ്ടായിരുന്നിട്ടും അതിനായി ഒരു ബിൽ കൊണ്ടുവരാൻ തയ്യാറാകാതെ അനുജോഗസ്ഥ പക്ഷത്തുനിന്നു കൊണ്ടുവന്നിട്ടുള്ള ബില്ലിൽ നൂന

*Speech not corrected by the hon'ble member.

THE COCHIN DEBTORS' RELIEF BILL

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തകളും കഴപ്പങ്ങളുമുണ്ടെന്നു പറഞ്ഞു അതിനെ എത്രക്കുന്നതു ശരിയല്ല. ഈ ബില്ലിൽ വല്ല ന്യൂനതകളുമുണ്ടെങ്കിൽ ഗവണ്മെണ്ടു ഭാഗത്തുനിന്നു തന്നെ ശരിയായ ഒരു ബിൽ കൊണ്ടുവരാമെന്നോ, അല്ലെങ്കിൽ ഒരു ബിൽ അനുജോഗസ്ഥപക്ഷത്തുനിന്നു മേലാൽ കൊണ്ടുവരുന്നപക്ഷം അതു അംഗീകരിക്കാമെന്നോ പറയാതെ, ഇപ്പോൾ ജനങ്ങൾക്കു സാമ്പത്തികാധുര്യം കൊണ്ടുള്ള ബുദ്ധിമുട്ടുകളിലൂന്നു പുറംരാജ്യങ്ങളിലുള്ളവരെ തെറിയിപ്പിക്കത്തക്ക ഒരുവാദം പുറപ്പെടുവിക്കുന്നതു ശരിയല്ല. ഉൽപ്പന്നങ്ങളുടെ വില കുറവായതോടുകൂടി മുമ്പ് ഉൽപ്പന്നങ്ങൾക്കുണ്ടായിരുന്നവിലക്കു തുല്യമായിട്ടു നിശ്ചയിച്ചിരുന്ന പലിശ കൊടുക്കാൻ കടക്കാരൻ നിശ്ചയിച്ചിട്ടില്ലെന്നു ഏവർക്കുമറിയാവുന്ന കാര്യമാണ്. സാധാരണ മർച്ചപേലിശയായ കൊല്ലത്തിൽ ൧൦൦-ക്ക് ൧൨ എന്ന കണക്കുപ്രകാരം ഉൽപ്പന്നങ്ങൾക്കു വിലക്കു തുല്യമായിരുന്നകാലത്തു കൊടുത്തിരുന്ന പലിശത്തോളം വെച്ചുതന്നയാണു് ഉൽപ്പന്നങ്ങൾക്കു വിലകുറഞ്ഞതിനുശേഷവും കടം കൊടുത്തിട്ടുള്ളതെന്ന വാസ്തവം ഗവണ്മെണ്ടു് സമ്മതിക്കുന്നതാണു്. ഇപ്പോഴത്തെ സ്ഥിതിക്കു കടക്കാർക്കുതെങ്കിലും ഒരു പരിരക്ഷ വേണമെന്നു ഗവണ്മെണ്ടു് വിചാരിക്കുന്നുണ്ടെങ്കിൽ പലിശയിലൊന്നെങ്കിലും ഒരു ശതമാനം വെട്ടിക്കുറയ്ക്കേണ്ടതാണു്. അതുപോലെതന്നെ കറൻസികോലുന്നങ്ങൾക്കു് വിലക്കു തുല്യമായിരുന്നപ്പോൾ നിശ്ചയിച്ച പാട്ടം മിച്ചവാരം മുതലായവയിലും ഇപ്പോഴത്തെ ഉൽപ്പന്നങ്ങളുടെ നിരക്കനുസരിച്ചു കാവചമേയ്ക്കേണ്ടതാവശ്യമാണു്.

ഈ ബിൽപ്രകാരം കടം കൊടുത്തവർക്കു നന്നായല്ല ഇനി വാങ്ങാനുള്ളവർക്കു കൂടി ഭോഷമുണ്ടാകുന്നുണ്ടെന്നാണു് ചിലരുടെ ആക്ഷേപം. അങ്ങിനെ വല്ല ന്യൂനതകളുമുണ്ടെങ്കിൽ സെലക്ട് കമ്മിറ്റിയെച്ചു അതിനെ പരിഹരിക്കാവുന്നതാണു്. കടംകൊടുത്തിട്ടുള്ളവർക്കു തന്നെ പരിരക്ഷകൾക്കുള്ള പല വ്യവസ്ഥകളും ഈ ബില്ലിലുണ്ടു്. അതുപോലെങ്കിൽ ഇനിയും ചേക്കാവുന്നതുമാണു്. അതിനുള്ള സമയവുമുണ്ടു്. അവതാരകന്റെ ഉദ്ദേശം കടക്കാരുടെ പലിശത്തോളം കാവു വരുത്തണം, പാട്ടം മിച്ചവാരം ഇവയിലെല്ലാം കാവു വരുത്തണം, അങ്ങിനെ അവരെ സംരക്ഷിക്കുന്നതിനുള്ള നിയമങ്ങളുണ്ടാക്കണമെന്നാണു്. ഇങ്ങിനെ ചില വ്യവസ്ഥകളുണ്ടാക്കിയാൽ ആർക്കും അതുകൊണ്ടു ഭോഷമുണ്ടാകാനും വഴികാണുന്നില്ല. അതിനാൽ ഗവണ്മെന്റിനു കഷ്ട സംരക്ഷണം ചെയ്യണമെന്നു ആഗ്രഹമുണ്ടെങ്കിൽ ഈ ബിൽ സിലക്ട് കമ്മിറ്റിയിൽക്കയച്ചു ആവശ്യമുള്ള ഭേദഗതികൾ വരുത്തി ഇതു സ്വീകരിക്കണമെന്നാണു് എനിക്കു പറയാനുള്ളതു്.

മിസ്റ്റർ സി. വി. ഇയ്യ: സർ, ഈ വിഷയത്തെപ്പറ്റി ഇവിടെ ധാരാളം ആളുകൾ സംസാരിച്ചുകഴിഞ്ഞിരിക്കുന്നു. ഞാൻ സംസാരിക്കാതെ കഴിക്കണമെന്നു വിചാരിച്ചാണു് ഇരുന്നിരുന്നതു്. എന്നാൽ ഷെറിബ്ബിലെ ഒരാളും ജനകീയപക്ഷത്തിലെ പ്രധാന മെമ്പറുമായ നമ്മുടെ ബഹുമാനപ്പെട്ട മന്ത്രി ആഭാഗത്തിരുന്നുകൊണ്ടു് പറഞ്ഞതിനെ അഭിനന്ദിക്കുന്നതിനാണു് ഞാൻ എഴുന്നേറ്റതു്. കൊച്ചിരാജ്യത്തിന്നു പുറത്തു പല ആളുകളും ഇവിടെത്തെ ഉത്തരവാദിത്വഭരണ പ്രസ്ഥാനത്തെപ്പറ്റി പറഞ്ഞിരുന്ന അഭിപ്രായങ്ങളെക്കുറിച്ച് രണ്ടുവാക്കു് അനുസ്മരിപ്പിക്കുന്നതിന്നാണു് ഞാൻ ഉദ്യുക്തനാകുന്നതു്. ഉത്തരവാദിത്വഭരണത്തിന്റെ ഒന്നാമത്തെ പടിയാതായ ഈ നിയമസഭയോടു ഉത്തരവാദിത്വമുള്ള ഒരു മന്ത്രിയെ തത്വവാൻ നമ്മുടെ മഹാരാജാവു തിരുമനസ്സു കൊണ്ടു് തന്റെ ൭ ന്ന-ാം ആട്ടത്തിരുനാൾദിവസം പ്രഖ്യാപനം ചെയ്തു. ആ പ്രഖ്യാപനം ചെയ്തതു മുതൽക്കു പുറം രാജ്യത്തുള്ള ആളുകൾ

Mr. Deputy President: I request the hon'ble member to speak on the subject.

മിസ്റ്റർ സി. വി. ഇയ്യ: ഇൻഡ്യാനാജം മുഴുവനും നമ്മെ സൂക്ഷിപ്പാണിരിക്കുന്നത്. നമുക്കു ശരിയായ ഉത്തരവാദിത്വഭരണം കിട്ടിയില്ല; ഈ ഭരണ പരിഷ്കാരം വെറും ഒരു കളിയാണ്, എന്നുതന്നെയല്ല ഈ പരിഷ്കാരങ്ങൾ ഗവണ്മെന്റ് താല്പര്യങ്ങളെ സംരക്ഷിക്കുന്നതിനും കൂടിയാണ് എന്നു അതും വരുന്നവിധത്തിലുള്ള പ്രസ്താവനകൾ പലതും അയൽരാജ്യങ്ങളിൽനിന്നുണ്ടാകയും അതിനു നാം തക്കതായ മറുപടി കൊടുത്തിട്ടുള്ളതുമാണ്. ഈ സന്ദർഭത്തിൽ ഗവണ്മെൻറിന്റെ ട്രാൻസ്ഫേർഡ് ഓഫ് ഈ ബില്ലിനെ അനുകൂലിക്കയും റിസർവ്ഡ് ഓഫ് ഈ ബില്ലിനെ എതിർക്കുകയുമാണ് ചെയ്തത്. ഉത്തരവാദിത്വ ഭരണത്തിന്റെ ഫലമായി നമുക്കു കിട്ടിയ ബഹുമാനപ്പെട്ട മന്ത്രി അവർകൾ ഗവണ്മെൻറ് ബഞ്ചിൽനിന്നുതന്നെ ഇങ്ങിനെ മറുപടി പറഞ്ഞതിൽ അദ്ദേഹത്തെ അഭിനന്ദിക്കേണ്ടിയിരിക്കുന്നു. മഹാരാജാവതിരുമനസ്സുകൊണ്ടു ഈ ഭരണപരിഷ്കാരം ഉൽപ്പാദനം ചെയ്ത അവസരത്തിൽ തിരുമേനിയും ബഹുമാനപ്പെട്ട ടിവാൻജി അവർകളും ചെയ്തതായ റിസർവ്ഡ് ഓഫിന്റെ കാര്യവും ട്രാൻസ്ഫേർഡ് ഓഫിന്റെ തത്വം മനസ്സരിച്ചുതന്നെ ബഹുമാനപ്പെട്ട മന്ത്രിയുമായി ആലോചിച്ചു ഭരിക്കുകയുള്ളു എന്നുള്ള പ്രസ്താവനകൾ കാക്കുന്നുണ്ടായിരിക്കും. ഈ ബില്ലിനെ എതിർത്ത ഗവണ്മെൻറ് മെമ്പർമാർ ആ പ്രസ്താവനയെ മുൻനിർത്തിക്കൊണ്ടു പിന്നോക്കംതിരിഞ്ഞു ആലോചിച്ചു ഈ ബില്ലിന്റെ തത്വം അംഗീകരിക്കുകയോ അല്ലെങ്കിൽ ഈ തത്വം മനസ്സരിച്ചുള്ള ഒരു ബിൽ അടുത്ത ഗവണ്മെൻറ് ഭരണത്തിന്നു അവരേരിപ്പിക്കാമെന്നു പറയുകയും ചെയ്യേണ്ടതാണ്. ഗവണ്മെൻറ് അതിനു തയ്യാറില്ലെങ്കിൽ ഈ ബിൽ ഇപ്പോൾ സെലക്ട് കമ്മിറ്റിക്കു അയക്കേണ്ടതാണെന്നു ഞാൻ അപേക്ഷിച്ചുകൊള്ളുന്നു.

Mr. V. N. Damodaran Nambiar (Trippunittura): Mr. President, Sir, I do not want very much to speak on the principle of this Bill which has been introduced by the Cochin Congress Party. Many hon'ble members have already placed their opinion before the House on the principle of this Bill and I have only to tell that I have been taken by surprise to find that the Government have thought it necessary to oppose the Bill at this stage. If I have understood it correctly, I should think that the only question that should engage our attention now is as to whether we are accepting the principle underlying the Bill. With regard to details every hon'ble member of this House including the Government members have got the opportunity for bringing in amendments after the Select Committee stage and then present them for the acceptance of the House. Therefore the only question for consideration now is whether we accept the principle of this Bill or not. If I have understood it correctly the principle underlying the Bill is whether relief is necessary for the agriculturist or non-agriculturist debtors of this State. I only want to remind the Government of a promise which they made very recently during the last budget session of this Council when a cut motion was introduced by the hon'ble member for Cranganur about the necessity of the Government issuing a proclamation to redress the economic distress among the debtors of the State. I remember, the Government while opposing the

cut motion expressed their readiness that they would consider very sympathetically the necessity for relieving or redressing the grievances of the debtors when a Bill is brought forward by the non-official members of the House. I was also one of the members who were convinced by the arguments advanced by the Government and opposed the motion of Mr. Ibrahim on the assurance given by the Government that they would be supporting a measure brought forward by the non-official members. I would, therefore, remind the Government of their promise. It is not a promise made long ago in which case they could possibly have said they have forgotten. It is only two or three months ago that they said that they would sympathetically consider a Bill if brought by the non-official members. There are two Bills now brought forward by the non-official members on this very subject and I am really surprised to find the Government instead of sympathetically considering them have thought it necessary to oppose both the measures. I therefore request the Government once again that in view of the answer given by them to the cut motion introduced by the hon'ble member for Cranganur in the budget session, to reconsider their position and lend their support to this Bill at this stage. I submit that they would not be committing themselves to the detailed provisions embodied in the Bill by simply not rejecting the Bill at this stage. They have got ample opportunities for amending the provisions and improving the Bill. There are I believe many hon'ble members on this side of the House also who do not accept all the provisions and details embodied in the Bill. But all the same, we do not think it necessary to oppose the Bill at this stage. I once again request the Government to reconsider their position by accepting this Bill and referring it to a Select Committee.

Mr. N. Govinda Pai (*Nominated*): Mr. President, Sir, from the various speeches that have been delivered here upon this subject it would seem that the banker and the merchant is violently opposing this Bill. I may say from the very outset that if they are opposing this Bill it is only in the form in which it is presented now. They along with the other members of this House really feel that some ameliorative action should be taken to give relief to the debtors and agriculturists. But it has to be seen what that amount of relief should be. If the bankers and merchants are opposing this Bill it is only on account of the violent action that is proposed to be taken at this stage. The merchants and bankers are very well aware of the fact that their prosperity also depends upon the general prosperity of the agriculturists (*Hear, hear*). Without there being prosperity all through the land it is impossible for the trader and the banker to prosper. I am very sorry to remark that it is understood by

some section of this House that the economics of the agricultural section is quite different from that of the mercantile or banking section. The credit system is in reality so very intricate and interwoven that any violent action taken on one part will have its own repercussions upon the other. So if I oppose this Bill it is only in the violent form that it is brought forward now. I for one quite agree with most of my friends when they say that something should be done to ameliorate the position of the agriculturists. But the only question of difference is in the measure in which the dose should be administered. I think the learned Government would take into consideration this fact also while they do something for the agriculturists and that is, it should be done in a way that it would not harm the other section of His Highness's loyal subjects. That is my only submission to this House.

Mr. M. L. Joseph (*Latin Christians-Cranganur*): Mr. President, Sir, it was not at all my intention to speak on this Bill, but now that I have been really shocked at the stepmotherly attitude shown by the Government towards the suffering population of Cochin, I cannot refrain from adding two words in support of what has already been said about the Bill. I cannot for a moment conceive why a Government, which has been supposed by all to be progressive, and perhaps in the forefront, should be so heartless and so unsympathetic towards a vast majority of its subjects. While the non-official members of this Council are trying to do whatever little service they can do to save from starvation and death a good majority of their brethren, the Government seems opposing all their demands with all the power they can command by simply trying to run down all our honest efforts by means of mere technicalities and by finding fault with the formation of sentences and the position of phrases and words in the Bill. When I find this sort of heartless attitude taken by the Government I do feel as if we are in the old Roman days. I remember to have read in Roman Law how debtors were treated by creditors by cutting and dividing the debtors among themselves. If at this rate our Government is going to remain mute without doing anything to save these dying agriculturists, I think it would be a more cruel act than what the Romans used to do in those days. Because there at least the debtor had the consolation that he would be finished in a few seconds, but here it is a slow death by suffering for so many years together. So I would request the Government at least to offer some co-operation and sympathy to a cause so noble as this and to help us in doing some substantial good to the agriculturist population of Cochin.

Mr. P. K. Madhava Menon (*Narakkal*): Sir, I beg to move for a closure of the debate.

Mr. V. K. Krishnankutty (*Ezhuvas-Trichur*): I second it.

The motion was put and carried.

Mr. M. K. Devassy (*Adur*): Mr. President, Sir, before I proceed to answer some of the arguments that have been advanced both from the Government side and by some of the hon'ble members on this side, it is my duty to thank one and all of the hon'ble members who have contributed to the discussion of the day and have supported the Bill including the Hon'ble Minister for Rural Development. I am only sorry that the leader of the opposition, Mr. T. K. Nayar, is not well because of a slight sickness. Otherwise this House would have had the privilege of having the finishing touch from his silvery voice with which this House is very often familiar.

Sir, I am replying to the arguments not as I ordinarily do. I do so with a sense of remorse to which I am not generally accustomed to, with a sense of remorse, because, to me as one who represent at least 6,000 voters of Cochin State, it is a much regrettable factor to see our Government taking such an attitude to a Bill of this nature. I am one of those who has applauded the Cochin Government as and when I have been reading papers regarding our reforms. I am one of those who would praise the Cochin Government where I find praise is due. But, Sir, I cannot for a moment appreciate the attitude that has now been expressed by the Treasury Bench today in making a feeble attempt at effecting a division in this House and profiting thereby. I am only reminded of the story of the debtor to whom I was just now referring who to snatch a portion from his two creditors call upon them to fight with each other. But the Government may rest assured that this sort of tactics won't have any avail against this House whatever the party differences are to which we are occasionally subjected. Yesterday Mr. Moothedan was as bitter as poison to you and today he has become as sweet as an apple. But we shall not be deluded, we shall not be tempted by these arguments nor be carried away. I am afraid that the Treasury Bench had been sometimes in the land of lotus eaters. It was only a few days ago that the learned member for Law sitting on the other side, while the hon'ble member for Cranganur was moving a resolution requesting that a proclamation bringing into force the Madras Agriculturists' Debt Relief Act be issued, was assuring this House that it will be the earnest endeavour of the Government to consider the problem and to bring timely relief to the agriculturists. Now you are sitting there like a critic, not a constructive critic, but as a destructive critic. I have heard very often from the Treasury

Benches of many other legislatures that it is the non-officials who often level destructive criticisms against the Government. But here we find the opposite of it. Sir, this is not a new problem. For the last so many years people have been agitating about it and I cannot for a moment understand how a Treasury Bench which is so highly paid and which is created for the purpose of facilitating the running of Government, should now tell us like arm chair politicians that 'there is this fault', 'that defect', 'you must cure it' and 'bring another Bill'. Sir, if you think that you are incapable of doing it, better come to us and we will show you how to do it. If you think that you are representing the Government, as you are in duty bound, do your duty; find out a remedy for the sickness that is eating into the very vitals of our people in the State, for, no State can exist, no Government can exist, without the people. If our Government exists for the sake of the people, the betterment of the people, the welfare and the prosperity of the people, you will be adding to your strength in a greater and greater measure every moment you are granting such necessary relief. I was surprised to hear the learned Secretary to Government referring to the solitary instance of an unlucky Brahmin. Sir, I do not for a moment mean to say that the Madras Agriculturists' Debt Relief Act is an unmixed good. It has got its faults. It is those faults that I have attempted to point out when I introduced this Bill and some of which we have attempted to cure. Yesterday we heard the Diwan President saying, when Mr. Moorthedan's Bill was being discussed in this House, that no difference in the provisions is made with regard to interest on pre-depression debts and depression period debts. This Bill answers it. Yesterday the Diwan President was also remarking, "what about the non-agriculturist creditor who is also a debtor?" We have provided a remedy in this Bill for that also. If we bring a third Bill tomorrow respecting all your wishes, will you not advance the same arguments? Will you not advance the same arguments if we were to introduce a thousand Bills, I ask? Certainly you will. If this attitude is to continue, I believe that what has been said of this legislature that it is perhaps a debating society, would come true, not because of the non-official members of this House, but because of the deliberate but unsuccessful attempt of the Treasury Bench to make us such puppets in their hands. Sir, I do not think that there are any arguments advanced by the Government which deserve any reply, for the simple reason that if the Government agrees with us in thinking that there is a situation which requires a remedy, that the people in this State are suffering because of indebtedness, the Government should find a remedy. If you have realised that if you have not brought forward a Bill, we bring our humble Bill of our humble low

intellect. That is all we can do. But with all the intellectual superiority that you possess, if you cannot do it for yourself, please think that our destructive Bills are much better than the constructive destruction that you practise now.

I have heard from my hon'ble friend, an argument that if the merchant class oppose this Bill, it is chiefly out of their anxiety for the people and that they feel with us equally in the sickness from which all of us are suffering. Well Sir, If I answer you in the same language, I may say, when we say that this Bill should be accepted and put into force, it is out of our anxiety for your existence, because the moment you are attacking measures of this kind, the moment you have the folly to think that Cochin consists of a major portion of merchants and bankers while it actually consists of more than 82 per cent of agriculturists, well, remember that you are sounding your own death knell. If we bring this measure and request you to co-operate with us, it is only out of our anxiety that you should continue to exist. I believe that my hon'ble friend at least in future will consider these suggestions that come from us and will give due weight they deserve.

It has been argued that a Government which has an impartial eye both towards the creditor and the debtor cannot launch upon such a violent legislation. I ask have there not been instances in Cochin when our Government has launched into such steps? Is it not a fact that in Cochin, the price of rice as the price of any other agricultural produce is a matter of contract between the purchaser and the seller and when that law was in force, is it not really against the spirit of the Contract Law that our Government took it into their head to fix the price of paddy at Re. 1 or less at a time when there was famine? Have not the Government done it against the sublime nature of the contractual relations? May I know what the murmur means? Am I speaking something wrong?

Mr. K. Achyuta Menon (*Diwan Peishkar*): There was no argument about sanctity of contract.

Mr. M. K. Devassy (*Adur*): I thought that you were questioning my statement of facts. There has been other instances also when desperate remedies were required, desperate remedies have been given by the Government. I refer to the moratorium that was declared some time ago. I ask my hon'ble friend Mr. Pai, did not merchants then suffer? Where were your high sounding objections at that time? Then you were afraid of the Government. You thought that when the legislation came from a proper source, you could succumb yourself to it. But when it comes from the non-official side, because they are

your brothers, your feeble, humble brothers, you attack them. Sir, circumstances blend and mould men. As has been rightly remarked by my hon'ble friend Mr. Popatlal, (I am very sorry that I have mentioned his support in introducing this Bill which I ought not to have done. It is a difference in skin, it is really a difference in skin. The thicker the skin, the greater the incentive to attack this progressive legislation. I wish that the skin was not so thick. We are of a thinner skin and can appreciate others' difficulties. The more tender the skin, the greater the quality of appreciation.

With these few words, I commend this Bill to the acceptance of the House. I may also say as has been remarked by Mr. Ayyappan, it is not a controversial measure at all and you may rest assured that in these matters we are like the Kauravas of Puranas who will fight against a common opponent and we will stand together and fight until we win. Do not think you can separate us. I therefore commend this bill for the acceptance of the House.

The motion was put and carried.

Mr. K. P. Kannan Nayar (*Secretary to Government*):
A poll, Sir.

Poll.

Ayes.

1. Mrs. Thankamma N. Menon
2. Mrs. C. R. Iyyunni
3. Mr. V. J. Mathai
4. " C. V. Iyyu
5. " V. N. Damodaran Nambiar
6. " T. K. Nayar
7. " K. Ayyappan
8. " M. Sivarama Menon
9. " A. Eachara Menon
10. " A. V. Moothedan
11. " K. R. Viswambharan
12. " K. R. Ramakrishnan
13. " K. S. Panikkar
14. " K. M. Ibrahim
15. " L. M. Pylee
16. " M. L. Joseph
17. " B. M. Peter
18. " V. K. Krishnankutty
19. " C. R. Iyyunni
20. " M. K. Devassy
21. " T. A. Ramachandra Ayyar
22. " K. Kochukunhan Kaimal
23. " P. K. Madhava Menon
24. " C. Kunjan Nambudiripad
25. " C. Ittiravi Nambudiripad
26. " T. V. Subramania Ayyar
27. " Puthoor Achyuta Menon

Noes.

1. Mr. N. Govinda Pai
2. " Popatlal Goverdhan Lalan
3. " K. Ashtamoorthi Nambudiripad
4. " Shabdai S. Koder
5. " N. V. Subbarayan Chettiar
6. " V. K. Kutty
7. " C. K. S. Moni
8. " K. P. Vallon
9. " T. Narayana Menon
10. " K. V. Menon
11. Rao Bahadur M. Narayana Menon
12. Mr. P. J. George
13. " C. A. Kunjunni Raja
14. " K. P. Kannan Nayar
15. " K. Achyuta Menon
16. Rao Sahib I. N. Menon
17. Mr. V. K. Aravindaksha Menon
18. " M. K. Raman
19. Rama Varmha Tampuran

Mr. Deputy President: 27 for and 19 against, the motion is carried.

Secretary to the Council: The title of the Bill is "The Cochin Debtors' Relief Bill."

Mr. M. K. Devassy (Adur): Sir, I wish to move that the Bill be referred to a Select Committee. Yesterday it was suggested here that this Bill also may be referred to the same Select Committee which was appointed for considering Mr. Moothedan's Debt Relief Bill. But in response to the suggestion made by Mr. Ayyappan, if the House agrees, I shall move for a separate Committee.

Dr. A. R. Menon (Minister for Rural Development): What is the necessity for having two separate committees? The Committee that was appointed by the House yesterday was a well-represented Committee and that was done so because it was thought expedient that this Bill also may be referred to the same Select Committee. That was also the reason for increasing its strength to 11 so that all the various interests may be properly represented.

മിസ്റ്റർ ടി. കെ. നായർ: ഈ രണ്ടു ബില്ലിന്റേയും പ്രിൻസിപ്പിൾസ് രണ്ടും രണ്ടാകുമ്പോൾ രണ്ടുംകൂടി ഒരു സെലക്ട് കമ്മിറ്റിക്കു കയറ്റിക്കൊടുക്കുന്നതിൽ ബുദ്ധിമുട്ടുവരും. ഇതിന്റെ തത്വം രണ്ടും രണ്ടാണ്. അതുകൊണ്ട് എങ്ങിനെയോ ഇതിനു ഒരു കമ്മിറ്റി മതിയാകുന്നത് എന്നു മനസ്സിലാക്കുന്നില്ല.

Mr. C. A. Kunjunni Raja (Advocate-General): If there are two Committees, on the same subject, I think, it will be very difficult. There may be divergence in the provisions of the Bill. It may so happen that there will be two pieces of legislation on the same subject with divergent provisions.

Mr. M. K. Devassy (Adur): I have no objection to refer to the same Committee.

Mr. Deputy President: Who are the members of the Committee?

Mr. A. V. Moothedan (Chalakkudi): The members of the Committee are Messrs. C. R. Iyyunni, K. Ashtamoorthi Nambudiripad, T. V. Subramania Ayyar, M. K. Devassy, V. J. Mathai, M. Sivarama Menon, L. M. Pylee, K. M. Ibrahim, K. R. Viswambharan, the mover and the Advocate-General.

Mr. Deputy President: The motion before the House is that the Bill be referred to a Committee consisting of the same members as that of Mr. Moothedan's Bill.

The motion was put and carried.

Mr. Deputy President : The Advocate-General will be Chairman and the Committee will report within a month as in the case of the other Bill.

Mr. K. Ayyappan (*Ezhuvas-Kanayannur*): On a point of information, I want to know whether two Committees are appointed or are the two Bills referred to the same Select Committee?

Mr. C. A. Kunjunni Raja (*Advocate-General*): Technically there are two Committees, but there will be only one report.

Mr. K. Ayyappan (*Ezhuvas-Kanayannur*): We want to be clear on this point. Are there two Committees?

Mr. Deputy President : For the present we have appointed a Select Committee to report on this Bill consisting of the same members as the other one. The way in which they will report is all left to the Select Committee.

The House stood adjourned at 5-7 p. m.

B. V. K. MENON,
Secretary to the Council.